

SENATE No. 377

The Commonwealth of Massachusetts.

SENATE, April 25, 1923.

The committee on Legal Affairs, to which was referred the petition (with accompanying bill, House, No. 931) of John I. Fitzgerald for an amendment of the law relative to the appointment and authority of bail commissioners, reports the accompanying bill (Senate, No. 377).

For the committee,

C. C. WARREN.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twenty-Three.

AN ACT

Relative to Bail Commissioners in the County of
Suffolk.

*Be it enacted by the Senate and House of Representatives
in General Court assembled, and by the authority of the
same, as follows:*

1 Section fifty-seven of chapter two hundred and
2 seventy-six of the General Laws, as amended by
3 section one of chapter four hundred and sixty-four
4 of the acts of nineteen hundred and twenty-two,
5 is hereby further amended by inserting after the
6 word "courts", in the fourth line, the words: —
7 or, for the county of Suffolk to a number not
8 exceeding twenty, by the sheriff of said county
9 with the approval of the superior court and re-
10 movable by him with like approval, — so as to
11 read as follows: — *Section 57.* A justice of the
12 supreme judicial or superior court, a clerk of
13 courts or the clerk of the superior court for
14 criminal business in the county of Suffolk, a
15 standing or special commissioner appointed by
16 either of said courts, or, for the county of Suffolk
17 to a number not exceeding twenty, by the sheriff
18 of said county with the approval of the superior

19 court and removable by him with like approval,
20 a justice or clerk of a district court, a master in
21 chancery or a trial justice, upon application of a
22 prisoner or witness held under arrest or committed
23 either with or without a warrant, or held in the
24 custody of an officer under a mittimus, may
25 inquire into the case and admit such prisoner or
26 witness to bail; and may admit to bail any person
27 committed for not finding sureties to recognize
28 for him. All persons authorized to take bail under
29 this section shall be governed by the rules estab-
30 lished by the supreme judicial or superior court.
31 No person offering himself as surety shall be
32 deemed to be insufficient if he deposits money of
33 an amount equal to the amount of the bail re-
34 quired of him in such recognizance, or a bank
35 book of a savings bank or of the savings depart-
36 ment of a trust company or national bank, doing
37 business in the commonwealth, properly assigned
38 to the clerk or trial justice with whom the same is
39 or is to be deposited, and his successors, and
40 satisfactory to the person so authorized to take
41 bail, or deposits non-registered bonds of the
42 United States or of the commonwealth or of any
43 county, city or town within the commonwealth
44 equal at their face value to the amount of the bail
45 required of him in such recognizance.

