

By Mr. Kiernan of Lowell, petition of Franklin N. Flaschner (Chief Justice of the District Courts) and Cornelius F. Kiernan relative to increasing the original jurisdiction of the district courts to dispose of certain additional criminal offenses. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT INCREASING ORIGINAL JURISDICTION TO DISPOSE OF CERTAIN ADDITIONAL CRIMINAL OFFENSES.

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 1. Section 26 of chapter 218 of the General
2 Laws, as most recently amended by chapter 496 of the acts of
3 1969, is hereby further amended by striking out the first
4 sentence, and inserting in place thereof the following sen-
5 tence: —

6 District courts shall have original jurisdiction, concurrent
7 with the superior court, of the following offenses committed
8 within their respective district or otherwise made punishable
9 therein: all violations of by-laws, orders, ordinances, rules and
10 regulations, made by cities, towns and public officers, all
11 misdemeanors, except libels, all felonies punishable by im-
12 prisonment in the state prison for not more than five years, the
13 crimes mentioned in sections fifteen A, nineteen and twenty of
14 chapter two hundred and sixty-five and in sections sixteen,
15 seventeen, eighteen, nineteen, twenty-eight and forty-nine of
16 chapter two hundred and sixty-six, and the crimes of forgery
17 of a promissory note, or of an order for money or other
18 property, and of uttering as true such a forged note or order,
19 knowing the same to be forged.

1 SECTION 2. Section 19 of chapter 265 is hereby amended
2 by inserting at the end of said section, after the word "years,"

3 the following words: – or by imprisonment in a jail or house
4 of correction for not more than two and one-half years.

1 SECTION 3. Section 20 of chapter 265 is hereby amended
2 by inserting at the end of said section, after the word “years,”
3 the following words: – or by imprisonment in a jail or house
4 of correction for not more than two and one-half years.

1 SECTION 4. Section 17 of chapter 266 is hereby amended
2 by inserting at the end of said section, after the word “years,”
3 the following words: – or by imprisonment in a jail or house
4 of correction for not more than two and one-half years.

By Mr. Kiernan of Lowell, petition of Franklin N. Flaschner (Chief Justice of the District Courts) and Cornelius F. Kiernan relative to requiring appeals in district court criminal cases to be taken to juries of six in the district courts. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT REQUIRING APPEALS IN DISTRICT COURT CRIMINAL CASES TO BE TAKEN TO JURIES OF SIX IN THE DISTRICT COURTS.

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 1. Section 26 of chapter 218 of the General
2 Laws, as most recently amended by chapter 496 of the acts of
3 1969, is hereby amended by inserting after the first sentence of
4 said section the following sentence: — They shall have exclusive
5 appellate jurisdiction of all crimes and all proceedings brought
6 under sections fifty-two to sixty-three, inclusive, of chapter one
7 hundred and nineteen heard before a district court in the first
8 instance.

1 SECTION 2. Section 27A of chapter 218 of the General
2 Laws, as inserted by chapter 620 of the acts of 1972, is hereby
3 amended by striking out said section and inserting in place
4 thereof the following sections:

5 *Section 27A.* Every district court and the municipal court of
6 the city of Boston are authorized to hold jury of six sessions
7 for the purpose of hearing appeals by defendants found guilty
8 in said courts of an offense or crime over which the district
9 courts have original jurisdiction under the provisions of section
10 twenty-six of chapter two hundred and eighteen and for the
11 purpose of hearing appeals by children found to be delinquent
12 or wayward children in said courts. The Boston, Bristol
13 County, Springfield and Worcester juvenile courts are autho-
14 rized to hold jury of six sessions for the purpose of hearing

3 the following words: – or by imprisonment in a jail or house
4 of correction for not more than two and one-half years.

1 SECTION 3. Section 20 of chapter 265 is hereby amended
2 by inserting at the end of said section, after the word “years,”
3 the following words: – or by imprisonment in a jail or house
4 of correction for not more than two and one-half years.

1 SECTION 4. Section 17 of chapter 266 is hereby amended
2 by inserting at the end of said section, after the word “years,”
3 the following words: – or by imprisonment in a jail or house
4 of correction for not more than two and one-half years.