

By Mr. Flaherty of Boston, petition of Michael F. Flaherty that provision be made for alternative jurors in cases tried by juries of six. The Judiciary.

*The Commonwealth of Massachusetts*

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

AN ACT PROVIDING FOR ALTERNATE JURORS IN CASES TRIED BY JURIES OF SIX.

*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 25 of Chapter 234 of the General Laws is  
2 hereby amended by inserting after the second sentence the follow-  
3 ing sentence: — For trials by juries of six the clerk shall instead  
4 draw said ballots in succession until the names of six or such  
5 greater number as the court may order under section twenty-six B  
6 are drawn who appear and are not excused or set aside.

1 SECTION 2. Section 26B of said chapter 234, as appearing in  
2 chapter 285 of the acts of 1967, is hereby amended by adding at the  
3 end thereof the following paragraph: —

4 In those cases that are to be tried by juries of six in a district,  
5 municipal or juvenile court, the court may certify to the existence  
6 of circumstances described in the first paragraph hereof and may  
7 order impanelled a jury of not more than eight members.

