

By Mr. Luitwieler of Newton, petition of Clarence S. Luitwieler that the powers of district courts to place complaints on file be limited. Joint Judiciary. Dec. 18, 1925.

---

---

**The Commonwealth of Massachusetts.**

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

An Act to limit the Power of District Courts to place  
Complaints on File.

*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 thirty-eight of chapter two hundred and  
2 eighteen of the General Laws is hereby amended  
3 by adding at the end thereof the following:—  
4 ; provided, that no such complaint shall be placed  
5 on file if the person against whom the complaint  
6 was issued has been convicted or had a complaint  
7 placed on file previously for any offence for which  
8 a sentence of imprisonment was or might have  
9 been imposed,— so as to read as follows:— *Sec-*  
10 *tion 38.* District courts shall always be open and  
11 business may be transacted at any time, except as  
12 provided in section six of chapter two hundred and  
13 twenty. Sittings of the courts shall be held in the  
14 court houses or other places provided therefor  
15 by the county, at the times and in the towns fixed  
16 by law; but if the times are not established by  
17 law they shall be fixed by the courts by general  
18 rule. Sittings may be adjourned from time to time  
19 as occasion requires, and cases, civil or criminal,

20 may be continued to any future day fixed for the  
21 sitting of the court, and, except as otherwise pro-  
22 vided, complaints in criminal cases may be placed  
23 on file; provided, however, that no such complaint  
24 shall be placed on file if the person against whom  
25 the complaint was issued has been convicted or had  
26 a complaint placed on file previously for any  
27 offence for which a sentence of imprisonment was  
28 or might have been imposed.



