

SENATE No. 350.

Commonwealth of Massachusetts.

SENATE, July 2, 1894.

The committee on the Judiciary, to whom was referred the House Bill relative to certain alleged violations of the laws of the Commonwealth (House, No. 931), report that the same ought to pass, in a new draft herewith submitted.

For the Committee,

F. W. KITTREDGE.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-four.

AN ACT

Relative to Violations of the Election Laws.

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. The superior court of any county shall,
2 on request of the attorney-general or the district attorney
3 of any district, hold an inquest which may be private,
4 and make inquiry and investigation of any violation of
5 the laws of the Commonwealth relating to the registra-
6 tion of voters or to elections. The attorney-general or
7 district attorney making such request, or some person by
8 him designated, shall attend such inquest and may ex-
9 amine the witnesses; and upon his request the court may
10 appoint a stenographer to take the evidence. Such in-
11 quest shall be continued from time to time at the request
12 of the attorney-general or district attorney or persons by
13 him so designated as aforesaid.

1 SECT. 2. The said court, or the attorney-general, or
2 the district attorney, or person by him so designated,
3 may issue subpœnas for witnesses returnable before said
4 court. The persons served with such process shall be
5 allowed the same fees, their attendance may be enforced
6 in the same manner, and they shall be subject to the same

7 penalties as if served with a subpoena in behalf of the
8 Commonwealth in a criminal prosecution pending before
9 said court. Said court in said inquest shall have the
10 same power to administer oaths or affirmations, and com-
11 pel the giving of testimony and production of papers,
12 that it has in a criminal proceeding before it. Any false
13 statement or testimony by any witness in such inquest
14 which is material, and made under oath or affirmation,
15 shall be deemed perjury, and be punishable as such.
16 The said court may, in such inquest, bind over, as in
17 criminal prosecutions, such witnesses as it deems neces-
18 sary, or as the attorney-general, district attorney or per-
19 son designated by him may designate, to appear and
20 testify at the court in which an indictment for any offence
21 inquired into by said court in said inquest may be found
22 or presented.

1 SECT. 3. Any justice of said court may conduct said
2 inquest, and if by reason of death, resignation or other-
3 wise the justice first acting is unable to act any other of
4 said justices may act in his stead, and the chief justice
5 of the superior court shall designate the justice to con-
6 duct said inquest. The justice conducting said inquest
7 shall, after hearing the testimony, draw up and sign a
8 report of the facts regarding the matter hereby directed
9 to be inquired into, which report shall be filed with the
10 records of the superior court of the county in which said
11 violations of law were committed.

1 SECT. 4. The fees and expenses of such inquest shall
2 be paid out of the treasury of the Commonwealth upon
3 certificates of the justice holding such inquest, filed with
4 the auditor of the Commonwealth.

1 SECT. 5. This act shall take effect upon its passage.

