

HOUSE No. 671

Bill accompanying the petition of Leonard F. Hardy for legislation relative to the disposition of fees and forfeitures and the payment of costs in certain appealed cases. Legal Affairs. January 16.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eleven.

AN ACT

Relative to the Disposition of Fees and Forfeitures and the Payment of Costs in Certain Appealed Cases.

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 two of chapter two hundred and twenty-one of
2 the Revised Laws is hereby amended by inserting after
3 the word " Boston ", in line four, the following : — except
4 that in cases appealed from police and district courts or
5 trial justices the fine or forfeiture shall be paid into the
6 treasury of the county in which the fee or forfeiture was
7 imposed, and the treasurer of the said county shall pay
8 to the city or town in which the offence was committed,
9 the costs as certified by the clerk of the inferior court
10 from which the case was appealed, — so as to read as
11 follows : — *Section 2.* A fine or forfeiture, which is im-

12 posed by the superior court shall be paid over to the
13 treasurer of the county where the proceeding in which
14 the fine or forfeiture was imposed was tried, or in the
15 county of Suffolk, to the collector of the city of Boston,
16 except that in cases appealed from police and district
17 courts or trial justices the fine or forfeiture shall be paid
18 into the treasury of the county in which the fee or for-
19 feiture was imposed, and the treasurer of the said county
20 shall pay to the city or town in which the offence was
21 committed, the costs as certified by the clerk of the in-
22 ferior court from which the case was appealed. A fine
23 or forfeiture which is imposed by a police, district or
24 municipal court or by a trial justice shall, except as
25 otherwise provided, be paid to the city or town in which
26 the crime or offence was committed. If the whole or
27 any part of a fine is by law payable to a complainant or
28 informant or to a person or corporation as beneficiary,
29 the court or magistrate may apportion the fine or forfeit-
30 ure between such complainant, informant or other bene-
31 ficiary and the county, city or town, respectively.