

HOUSE No. 1067

Bill accompanying the recommendations of the Board of Prison Commissioners (House, No. 1064). Joint Judiciary. January 20.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Fourteen.

AN ACT

To provide Counsel for Indigent Defendants charged with
Felony.

*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, at the beginning of a
2 criminal term in any district, or at any time during such
3 term, may appoint a person to act as counsel for indigent
4 defendants charged with felonies, other than capital of-
5 fences, and may at any time revoke such appointment.

1 SECTION 2. Such appointment in the Suffolk district
2 may be for any period not exceeding one year, at the dis-
3 cretion of the court. In other districts such appointment
4 shall be for a single term of the court.

1 SECTION 3. The compensation to be allowed to counsel
2 so appointed shall be fixed by the court, but the amount

3 paid for his service shall not exceed one-half of the salary
4 of the district attorney for the same length of time. The
5 court shall allow the reasonable expenses incurred and
6 paid by counsel so appointed.

1 SECTION 4. If a person so charged appears for arraign-
2 ment without counsel, the court shall ascertain whether or
3 not he desires counsel, and if so, whether or not he is
4 able to obtain it. If satisfied that he is not able to do so,
5 the court may assign him, as counsel, the person appointed
6 as hereinbefore provided.

1 SECTION 5. A person so charged, upon his request in
2 writing, shall have a list of the jurors who have been re-
3 turned, and in the discretion of the court may have
4 process to summon witnesses who are necessary to his
5 defence. All expenses incurred under this act in any case
6 shall be paid by the county in which such case originated.

1 SECTION 6. This act shall take effect upon its passage.