

HOUSE No. 3491

By Mr. Tobin of Quincy (by request), petition of Charles Silva for legislation to compensate defendants in criminal cases which have been dismissed or nol-prossed. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

**AN ACT TO COMPENSATE DEFENDANTS IN CRIMINAL CASES WHICH
HAVE BEEN DISMISSED OR NOL-PROSSED.**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Notwithstanding any provision of special or general law to
2 the contrary, in any criminal proceeding which has been dis-
3 missed or wherein a nolle prosequi has been entered by the
4 commonwealth, the presiding judge shall award to the de-
5 fendant a sum of money sufficient to pay his reasonable legal
6 fees. The award shall be paid by the county commissioners.

The Constitution of the United States

Article I, Section 1

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Representatives and Electors in each State shall have the Qualifications requisite for Electors in that State.

Representatives and direct Taxes shall be apportioned among the several States which may be at that time, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, (including bound Persons, (other than Apprentices, and Indians not taxed) three fifths of all other Persons.)