

# SENATE . . . . No. 265

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To accompany the petition of Samuel W. Tucker and another relative to the fees of sheriffs, deputy sheriffs and constables. Legal Affairs.

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## The Commonwealth of Massachusetts.

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

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### AN ACT

Relative to the Fees of Sheriffs, Deputy Sheriffs and Constables for the Service of Civil Process.

*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. Chapter two hundred and sixty-  
2 two, section eight of the General Laws is hereby  
3 amended by striking out the word "two", in the  
4 twenty-sixth line of said section, and adding in  
5 place thereof the word: — three, — so that lines  
6 twenty-five to thirty-six as amended shall read as  
7 follows: — For the custody of personal property  
8 attached, replevied or taken on execution, not  
9 more than three dollars for each day of not more  
10 than eight hours for the keeper while he is in  
11 charge, and not more than one dollar a day for  
12 the officer for a period not longer than ten days;  
13 but the officer may be allowed a greater compen-

14 sation for himself or for his keeper, or compensa-  
15 tion for a longer period, by the written consent  
16 of the plaintiff and the defendant whose prop-  
17 erty has been attached, replevied or taken on  
18 execution, or by order of the court upon a hear-  
19 ing. He shall also be entitled to expenses for  
20 packing, labor, teaming, storage and taking and  
21 preparing a schedule of property attached, re-  
22 plevied or taken on execution, if he certifies that  
23 such expenses were necessary and are reasonable.

1 SECTION 2. Said section eight of chapter two  
2 hundred and sixty-two of the General Laws is  
3 further amended by striking out the word "five",  
4 in the one hundred and eleventh line of said sec-  
5 tion, and adding in place thereof the word:—ten,  
6 — and by striking out the word "twenty", in the  
7 one hundred and sixteenth line of said section, and  
8 adding in place thereof the word:— thirty,—  
9 and by striking out the word "five", in the one  
10 hundred and seventeenth line of said section, and  
11 adding in place thereof the word:— ten,— and by  
12 striking out the word "twenty", in the one hun-  
13 dred and eighteenth line of said section, and add-  
14 ing in place thereof the word:— thirty,— so that  
15 lines one hundred and ten to one hundred and  
16 twenty in said section as amended shall read  
17 as follows:— For travel in the service of original  
18 writs, executions, warrants, summonses, sub-  
19 pœnas, notices and like processes, ten cents a  
20 mile each way, to be computed from the place of  
21 service to the court or place of return; and if

22 the same precept or process is served upon more  
23 than one person, the travel shall be computed  
24 from the most remote place of service, with such  
25 further travel as was necessary in serving it; if  
26 the distance from the place of service to the place  
27 of return exceeds thirty and does not exceed fifty  
28 miles, ten cents a mile one way only shall be al-  
29 lowed for all travel exceeding thirty miles; and  
30 if it exceeds fifty miles, only one cent a mile one  
31 way shall be allowed for all travel exceeding that  
32 distance.

1 SECTION 3. Section ten of chapter two hun-  
2 dred and sixty-two of the General Laws is hereby  
3 amended by striking out the word "one", in the  
4 fourth line thereof, and adding in place thereof  
5 the word: — each, — so that said section as  
6 amended shall read as follows: — If it is neces-  
7 sary in the service of civil process for an officer to  
8 use a horse and carriage or other conveyance for  
9 a distance exceeding two miles one way, he may be  
10 allowed therefor fifteen cents a mile for the dis-  
11 tance traveled each way, not exceeding thirty miles.  
12 If he uses the horse and carriage or other con-  
13 veyance of another person, he shall be allowed the  
14 amount actually expended by him therefor; but  
15 no allowance for the actual amount so expended  
16 by him shall be made unless the officer certifies  
17 that it was necessary for him to use a horse and  
18 carriage or other conveyance, and that he actu-  
19 ally used it for the distance, and paid therefor  
20 the amount stated in his certificate.

The first part of the report is devoted to a general description of the country and its resources. It is followed by a detailed account of the various industries and occupations of the people. The report concludes with a summary of the principal facts and a list of the names of the persons who have been instrumental in the progress of the country.

The second part of the report is devoted to a description of the various industries and occupations of the people. It is followed by a detailed account of the progress of the country and the various improvements which have been made. The report concludes with a summary of the principal facts and a list of the names of the persons who have been instrumental in the progress of the country.

The third part of the report is devoted to a description of the various improvements which have been made in the country. It is followed by a detailed account of the progress of the country and the various improvements which have been made. The report concludes with a summary of the principal facts and a list of the names of the persons who have been instrumental in the progress of the country.