

SENATE No. 37.

Commonwealth of Massachusetts.

SENATE, Feb. 11, 1885.

The Committee on the Judiciary, to whom was referred the Bill to permit change of venue in certain cases, report the same ought to pass.

For the Committee,

WM. COGSWELL.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Eighty-five.

AN ACT

To permit Change of Venue in Certain 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 1. In any civil proceeding, or in any
2 prosecution for an offence punishable by impris-
3 onment in the state prison, in the supreme judicial
4 or superior court, in which any issue is to be
5 tried by a jury, when in the opinion of the court
6 there is reason to believe that a fair and impartial
7 trial may not be had in the county where such
8 proceeding is pending, the court, upon application
9 of any party to the issue so to be tried, may
10 order the proceeding to be removed, with the
11 original papers therein, into the same court in an
12 adjoining county: *provided, however*, that a crim-
13 inal prosecution shall be so removed only upon
14 application of a defendant therein. Upon such

15 removal the proceeding shall go forward in the
16 county to which it is removed in all respects as
17 though it had originally been instituted therein.

1 SECT. 2. This act shall take effect upon its
2 passage.

