

HOUSE No. 253.

[Bill accompanying the petition of Leonard W. Ross. Joint Judiciary.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-nine.

AN ACT

Relative to the Taking of Bail.

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. Section forty-six of chapter two
2 hundred and twelve of the Public Statutes is
3 hereby amended by inserting in the first line
4 thereof, after the words "superior court," the
5 words "within and throughout their respective
6 counties;" also by striking out, in the fourth line
7 thereof, the words "in any county;" and by add-
8 ing at the end of said section the words "All per-
9 sons authorized to take bail under this section
10 shall conform to and be governed by the rules of
11 the justices of the superior court or supreme
12 court," so as to read as follows:—

13 *Section 46.* A justice of the supreme judicial
14 court or superior court, within and throughout
15 their respective counties, a standing or special
16 commissioner appointed by either of said courts, a
17 justice or clerk of a police, district, or municipal
18 court, a master in chancery, or a trial justice, on
19 application of a prisoner held under arrest or
20 committed for aailable offence, whether on a
21 warrant or without one, or in the custody of an
22 officer under a mittimus, may inquire into the
23 case, and admit such prisoner to bail; and such
24 magistrates may respectively admit to bail any
25 person committed for not finding sureties to recog-
26 nize for him. All persons authorized to take bail
27 under this section shall conform to and be gov-
28 erned by the rules of the justices of the superior
29 court or supreme court.

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

