

## HOUSE . . . . No. 301.

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[Moved by Mr. WADE, of Newton, as substitute for report (reference to next General Court) of Committee on District Courts.]

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### Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy-Six.

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### AN ACT

To establish the Police Court of the City of Newton.

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

1   SECT. 1. A police court is hereby established  
2 in Newton, under the name of the police court of  
3 Newton; and said city shall constitute a judicial  
4 district, under the jurisdiction of said court. Said  
5 court shall have the same jurisdiction, power and  
6 authority; shall perform the same duties, and be  
7 subject to the same regulations as are provided  
8 in respect to existing police courts, except the  
9 municipal court of Boston and the municipal court  
10 of Worcester, by the one hundred and sixteenth  
11 chapter of the General Statutes, and by all general

12 laws passed in amendment thereof, applicable  
13 to the several police courts of the Common-  
14 wealth; and all provisions of law relating to civil  
15 and criminal proceedings, the taxation of costs,  
16 the payment of fines, the expenses of court, the  
17 accounting and settling with the county and town  
18 treasurers for the money paid into court as for-  
19 feitures and otherwise, and the required returns  
20 applicable to the several police courts, except those  
21 before mentioned, shall apply to the police court  
22 of Newton.

1     SECT. 2. Said court shall consist of one stand-  
2 ing justice and two special justices, to be ap-  
3 pointed, commissioned and qualified, pursuant to  
4 the constitution and laws.

1     SECT. 3. There shall be a clerk of said court,  
2 who shall, in the first instance, be appointed and  
3 commissioned by the governor, and shall hold his  
4 office until a successor is chosen and qualified, as  
5 is provided by law in the case of clerks of police  
6 courts; and all vacancies in said office, caused by  
7 removal or otherwise, shall be filled as is provided  
8 by law in like cases.

1     SECT. 4. The standing justice of said court  
2 shall receive an annual salary of twelve hundred  
3 dollars, to be paid from the treasury of the Com-  
4 monwealth. The compensation of the special  
5 justices, for duties performed by them, shall be  
6 such as is provided by law in similar cases. The  
7 clerk of said court shall receive an annual salary  
8 of nine hundred dollars, to be paid from the  
9 treasury of the Commonwealth.

1    SECT. 5. The court shall be held at the city  
2 hall in Newton, every day, except on Sundays and  
3 legal holidays, for criminal business, and for civil  
4 business once each week, and oftener if said  
5 standing justice shall see fit.

1    SECT. 6. All proceedings duly commenced  
2 before any trial justice or justice of the peace for  
3 the county of Middlesex, within said district,  
4 before this act shall take full effect, shall be  
5 prosecuted and determined as if this act had not  
6 been passed.

1    SECT. 7. Either of the justices of said court  
2 may issue warrants in all proper cases. No justice  
3 of the peace shall hereafter be allowed any fees  
4 for warrants issued within said district or else-  
5 where, for offences committed in said district; and  
6 all warrants so issued shall be made returnable  
7 before said court.

1    SECT. 8. So far as the appointing, commission-  
2 ing and qualifying the standing justice and special  
3 justices and the clerk of said court are concerned,  
4 this act shall take effect upon its passage; and it  
5 shall take full effect in sixty days from its passage.

