

AN ACT TO PROVIDE FOR THE APPOINTMENT OF PROBATION OFFICERS. *Chap. 129*

*Be it enacted, &c., as follows:*

SECTION 1. The aldermen of any city, except the city of Boston, or the selectmen of any town, may establish the office of probation officer, and may fix the salary of such officer. The mayor of any city or the selectmen of any town in which such office has been established may appoint such officer: *provided*, that the appointment made by the mayor of any city shall be subject to the confirmation of the aldermen of said city. Such officer, when duly appointed, shall hold his office until removed by the board appointing or confirming him, and shall have in the execution of the duties of his office all the powers of police officers. The person appointed to this office may be a member of the police force of the city or town in which he is appointed.

Probation officers may be appointed in cities and towns.

To have all powers of police officers.

SECTION 2. The clerk of each city or town which shall appoint a probation officer under this act, shall immediately after such appointment notify the commissioners of prisons of the same. Every such officer shall make a monthly return to said commissioners, showing the name, age, sex and offence of each person placed upon probation upon his recommendation, with such other particulars as they may require, and the result in each case when it shall be completed.

City and town clerks to notify prison commissioners.

Monthly reports to be made to commissioners.

SECTION 3. It shall be the duty of such officer to carefully inquire into the character and offence of every person arrested for crime in the city or town for which he acts, with a view to ascertaining whether the accused may reasonably be expected to reform without punishment. He shall keep a full record of the results of his investigations.

Officers to inquire into character and offence of person arrested for crime, and keep full record of investigations.

SECTION 4. If upon investigation said officer is satisfied that the best interests of the public and of the accused would be subserved by placing him upon probation, he shall recommend the same to the court trying the case, and the court may permit the accused to be placed upon probation, upon such terms as it may deem best, having regard to the reformation of the accused.

Accused may be placed on probation by court upon recommendation of officer.

SECTION 5. The person thus released shall be furnished with a written statement of the terms of his probation, and the probation officer shall keep a record of the same, and of his conduct during said probation. All the records kept by said probation officer shall at all times be open to the chief of police or city marshal of the city or town in which he is appointed.

Person released to be furnished with a written statement of terms of his probation.

Case of person in jail with not more than six months of sentence unexpired may be investigated.

Upon recommendation of officer and with the concurrence of the court, etc., county commissioners may release prisoner.

Prisoners released upon probation may be returned to prison.

Persons supposed to be reformed shall under 1862, 189, receive conditional discharge.

Persons imprisoned for drunkenness.

Prisoners released on probation may

SECTION 6. Any probation officer, including any person appointed an officer under the provisions of chapter one hundred and ninety-eight of the acts of the year eighteen hundred and seventy-eight, may, with the consent of the county commissioners of the county in which he is appointed, or by their request, investigate the case of any person imprisoned in any jail or house of correction for an offence other than a felony, upon sentence of not more than six months, or upon a longer sentence, of which not more than six months remain unexpired, with a view to ascertaining the probability of the reformation of such person if released from imprisonment. If after such investigation the probation officer shall recommend the release of the prisoner, and the court which imposed the sentence (or in case of the superior court, the district attorney), shall certify concurrence in such recommendation, the county commissioners may if they deem it expedient release him upon probation, upon such conditions as they deem best, and they may require bonds for the fulfilment of said conditions. The surety upon any such bond shall have authority and right at any time to take and surrender his principal to the prison whence he was released. Nothing in this act shall apply to cases of persons held upon sentence of the courts of the United States.

SECTION 7. The county commissioners shall have the right to order any prisoner, released by them upon probation, to return to the prison from which he was released, and upon their request, verbal or in writing, any court having jurisdiction in criminal offences shall issue a warrant for his arrest and shall remand him to the prison from which he was released.

SECTION 8. No person shall be discharged from any prison or workhouse by the county commissioners of any county, under the provisions of chapter one hundred and eighty-nine of the acts of the year one thousand eight hundred and sixty-two, except upon condition that if he shall at any time thereafter be convicted of any crime he shall serve the remainder of his original sentence, in addition to the sentence imposed for said crime. The county commissioners shall hereafter have the same authority to release persons imprisoned for drunkenness that they now have to release persons imprisoned for being common drunkards.

SECTION 9. The county commissioners may furnish any prisoner released from prison on probation with such

sum of money as in their judgment can be wisely used to promote his reformation, or they may pay the same to any probation officer to be used for such prisoner.

be furnished with a sum of money.

SECTION 10. If any prisoner released from a jail or house of correction upon probation shall be returned thereto for a violation of the conditions of the same, he shall be detained according to the terms of his original sentence; and in computing the period of his confinement, the time between his release upon probation and his return to the prison shall not be taken to be any part of the term of the sentence.

Prisoner to serve out original sentence, if returned for violation of conditions.

SECTION 11. It shall also be the special duty of each probation officer to inform the court, so far as is possible, whether a person on trial has previously been convicted of any crime.

Officer to inform court when person has previously been convicted.

SECTION 12. Nothing herein contained shall authorize such officer to interfere with any of the duties required of the visiting officer of the board of health, lunacy and charity, under the laws of this Commonwealth relating to juvenile offenders.

Duties of visiting officer of board of health, etc., not to be interfered with.

*Approved March 22, 1880.*

AN ACT TO EXTEND THE CHARTER OF THE EAST CAMBRIDGE LAND COMPANY.

*Chap. 130*

*Be it enacted, &c., as follows:*

SECTION 1. The term of the charter of the East Cambridge Land Company is hereby extended twenty years from the date of its present limitation.

Charter extended.

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

*Approved March 23, 1880.*

AN ACT AUTHORIZING THE NEW LONDON NORTHERN RAILROAD COMPANY TO ISSUE BONDS.

*Chap. 131*

*Be it enacted, &c., as follows:*

SECTION 1. The New London Northern Railroad Company is hereby authorized to issue its bonds, signed by its president and countersigned by its treasurer, to an amount not exceeding one million five hundred thousand dollars, for the purpose of retiring its present bonded indebtedness, paying its floating debt and extending its road. Said bonds shall be for one thousand dollars each, payable not more than thirty years from their date, and shall bear interest at the rate of not more than six per cent. per annum, payable semi-annually.

May issue bonds not exceeding \$1,500,000.

Interest not to exceed six per cent.

SECTION 2. Said New London Northern Railroad Company may secure said bonds by a mortgage of the whole

May secure bonds by mortgage of whole