

AN ACT RELATING TO PROSECUTIONS FOR THE MAINTENANCE OF
BASTARD CHILDREN. Chap. 127

Be it enacted, &c., as follows:

SECTION 1. Police courts and justices of the peace may continue from time to time the hearing of any complaint pending before them founded on the seventy-second chapter of the General Statutes, and may take a bond from the accused in a sufficient sum and with sufficient surety or sureties to the complainant, for the appearance of the accused before the court or justice at any hearing of the complaint at any subsequent time to which the same may be continued, and from time to time until the final disposition of the complaint before the court or justice, and not depart without leave.

Hearing may be continued and bond taken for attendance of accused.

SECTION 2. If the accused shall not appear before the court or justice at any time to which the hearing of the complaint is continued, or shall depart without leave, his default shall be recorded, and the bond with a copy of the complaint and warrant and also a copy of the record of the court or justice in the case shall be transmitted to the superior court in the same county, where the complaint shall be entered and proceeded with in accordance with the provisions of said seventy-second chapter regulating the mode of proceedings in like cases in the superior court; and if the accused shall be adjudged by the court, on a final hearing of the complaint, to be the father of the child of which he is accused, the bond shall be security for the performance by him of any order of the court under the seventh section of said chapter.

Failure to appear, or depart're without leave, to cause removal of case to superior court.

Bond to be security for compliance with order of court.

SECTION 3. The surety in a bond given under the provisions of the first section of this act may surrender the principal to the police court or justice of the peace before whom the complaint is pending, or if the complaint is pending therein, to the superior court at any term thereof, and in case of such surrender, the bond shall be void, and either of said courts or justice, to whom the surrender is made, may order a new bond to be taken from the accused with sufficient surety or sureties, and the accused shall stand committed until he gives such new bond: *provided, however*, that if the surrender is made in the superior court, the new bond shall be for the appearance of the accused to answer to the complaint in said court and abide the order of the court thereon.

Surety may surrender principal and release bond.

New bond may be taken.

Proviso.

SECTION 4. When a police court or justice of the peace shall require the accused to give bond under the fourth section of said seventy-second chapter, or when the accused

Upon requirement of bond or default of accused, under

sections and in case named, complainant to have written notice.

shall make default, as mentioned in the second section of this act, the court or justice before whom the complaint was made shall, before the next term of the superior court in the same county, if the complaint was made by the woman entitled to make the same under the first section of said chapter, send written notice, by mail or otherwise, to the person authorized to make the complaint under the second section of said chapter, that such complaint has been made and that the accused has been required to give bond, or has made default, as the case may be.

Police courts may have jurisdiction at any sitting.

SECTION 5. The trial of complaints mentioned in this act may be had before a police court when sitting for criminal or civil business.

Approved April 4, 1863.

Chap. 128

AN ACT CONCERNING TRUANT CHILDREN IN DUKES COUNTY.

Be it enacted, &c., as follows :

Minor may be sent to Farm School in New Bedford.

SECTION 1. Any minor convicted under the provisions of the two hundred and seventh chapter of the acts of the year eighteen hundred and sixty-two, in Dukes county, may be sentenced and confined in the farm school, so called, in the city of New Bedford, in the county of Bristol, in the same manner as if the same was in Dukes county.

Expense, how determined & paid.

SECTION 2. Any town in Dukes county from which any minor may be sentenced as aforesaid, shall pay to the city of New Bedford, for the support of every person so confined, the sum of two dollars for each and every week such person may remain at said school.

SECTION 3. This act shall take effect upon its passage.

Approved April 4, 1863.

Chap. 129

AN ACT IN ADDITION TO AN ACT TO ESTABLISH THE CITY OF NEWBURYPORT.

Be it enacted, &c., as follows :

Overseers of poor to be chosen.

SECTION 1. The qualified voters of the city of Newburyport, at their respective annual ward meetings, shall elect at large, by ballot, three persons to be overseers of the poor ; and the persons thus chosen shall constitute the board of overseers of the poor: said board of overseers shall quarterly, on or before the fifth days of March, June, September and December in each year, make returns to the city council of the names of all those who have received assistance from the city, for any portion or the whole of the quarters ending on the last days of the months immediately preceding said returns, with the amount received by each. All supplies shall be purchased, and all aid dispensed in such manner as the city council may direct.

Duties defined.