

# HOUSE . . . . . No. 56

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Bill accompanying the petition of Peter J. Donaghue for legislation to regulate appeals to the Superior Court on convictions in police, district and municipal courts. Legal Affairs. January 1.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Thirteen.

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### AN ACT

To regulate Appeals in Criminal 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. Section twenty-two of chapter two hun-  
2 dred and nineteen of the Revised Laws, is hereby  
3 amended by striking out the word "and", in the fourth  
4 line, and inserting in place thereof the following:— The  
5 appellant shall be held on his own recognizance unless  
6 the court or trial justice is of the opinion that the appel-  
7 lant will not appear for trial in the superior court, or  
8 that the offence is so serious that justice requires a surety  
9 or sureties on his bond, in which cases,—so that the  
10 section will read:—*Section 22.* Whoever is convicted  
11 of a crime before a police, district or municipal court or  
12 trial justice may appeal to the superior court. The case

13 shall be entered in the superior court on the return day  
14 next after the appeal is taken. The appellant shall be  
15 held on his own recognizance unless the court or trial  
16 justice is of the opinion that the appellant will not appear  
17 for trial in the superior court, or that the offence is so  
18 serious that justice requires surety on his bond, in which  
19 cases the appellant shall be committed to abide the sen-  
20 tence of said court until he recognizes to the common-  
21 wealth, in such sum and with such surety or sureties as  
22 the court or trial justice requires, with condition to ap-  
23 pear at the superior court on said return day and at any  
24 subsequent time to which the case may be continued, if  
25 not previously surrendered and discharged, and so from  
26 time to time until the final sentence, order or decree of  
27 the court thereon, and to abide such final sentence, order  
28 or decree, and not to depart without leave and in the  
29 meantime to keep the peace and be of good behavior.  
30 The appellant shall not be required to advance any fees  
31 upon claiming his appeal or in prosecuting the same.

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