

By Mr. Stone of Wayland, petition of J. Sidney Stone relative to service after retirement by retired judges of probate and insolvency. Pensions. Jan. 18.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Twenty-Six.

An Act Relative to Service after Retirement by Retired Judges of Probate and Insolvency.

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 sixty-one of chapter thirty-two of
2 the General Laws, as amended by section three
3 of chapter four hundred and eighty-six of the
4 acts of nineteen hundred and twenty-one, is
5 hereby further amended by striking out the
6 last two sentences of said section and substi-
7 tuting in place thereof the following:—

8 A justice of the superior court or any judge
9 of probate and insolvency who, having attained
10 the age and performed the service required by
11 this section, has resigned his office or retired
12 from active service, may thereafter perform
13 service, with his own consent, on the written
14 request of the chief justice of the superior
15 court or the judge of probate and insolvency
16 for the county in which such service is desired,

17 as the case may be; and when performing such
18 service he shall receive, on the certificate of the
19 chief justice or the judge of probate and in-
20 solvency, as the case may be, his expenses
21 actually incurred while holding court in places
22 where he does not reside. Justices or judges
23 performing such service shall not be counted in
24 the number of justices of the superior court or
25 judges of probate and insolvency provided by
26 law for the superior court and the courts of pro-
27 bate and insolvency respectively, — so that said
28 section as amended will read as follows:--
29 *Section 61.* A justice of the supreme judicial
30 or superior court, or any judge of the land court
31 or of probate and insolvency, who, having at-
32 tained the age of seventy and having served in
33 any or all of said courts for at least ten con-
34 secutive years, resigns his office or retires from
35 active service, or who is retired by the governor,
36 with the consent of the council, because of ad-
37 vanced age or mental or physical disability,
38 shall during the remainder of his life receive
39 an amount equal to three fourths of the salary
40 which was payable to him at the time of his
41 resignation or retirement, to be paid by the
42 commonwealth in the same manner as the sal-
43 aries of justices or judges of said courts. A
44 justice of the superior court or any judge of
45 probate and insolvency who, having attained
46 the age and performed the service required by
47 this section, has resigned his office or retired
48 from active service, may thereafter perform

49 service, with his own consent, on the written
50 request of the chief justice of the superior court
51 or the judge of probate and insolvency for the
52 county in which such service is desired, as the
53 case may be; and when performing such ser-
54 vice he shall receive, on the certificate of the
55 chief justice or the judge of probate and in-
56 solvency, as the case may be, his expenses
57 actually incurred while holding court in places
58 where he does not reside. Justices or judges
59 performing such service shall not be counted in
60 the number of justices of the superior court or
61 judges of probate and insolvency provided by
62 law for the superior court and the courts of
63 probate and insolvency respectively.

