

HOUSE No. 2241

House Bill printed as Senate, No. 165, as changed and amended and passed to be engrossed by the House. June 3.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Seven.

AN ACT TO ESTABLISH AN ADDITIONAL JUSTICE OF THE CENTRAL DISTRICT COURT OF WORCESTER, TO INCREASE THE SALARIES OF AND TO REQUIRE FULL TIME SERVICE FROM SUCH JUSTICES.

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. Chapter 218 of the General Laws, as
2 amended, is hereby further amended by striking out
3 section 6 and inserting in place thereof the following
4 section:—

5 *Section 6.* Each district court, except the municipi-
6 pal court of the city of Boston and the central district
7 court of Worcester shall consist of one justice and one
8 special justice. There shall be two justices and two
9 special justices in the central district court of Worces-
10 ter.

11 Special justices of the district courts other than the
12 municipal court of the city of Boston and the Boston
13 juvenile court, shall be paid fifteen dollars for each
14 day's services by the county, or at the rate by the day

15 of the salary of the justice of the same court which-
16 ever is the greater amount. For each day's service so
17 paid for in excess of thirty days in any court in any
18 one year, there shall be deducted by the county treas-
19 urer from the salary of the justice who absents him-
20 self from said court one day's compensation at the
21 rate by the day of the salary of said justice, except for
22 services of the special justice in holding simultaneous
23 sessions.

1 SECTION 2. Said chapter 218 is hereby further
2 amended by inserting after section 6 the following
3 section: —

4 *Section 6A.* Justices of the central district court
5 of Worcester shall be full time justices. They shall
6 not directly or indirectly engage in the practice of the
7 law during such time as they are justices but shall
8 devote their entire time during ordinary business
9 hours to the discharge of their duties as justices of the
10 court. The senior justice shall be the first justice of
11 the court. Citations, orders of notice, writs, execu-
12 tions and all other processes issued by the clerk of the
13 said court shall bear the teste of the first justice of
14 the court.

1 SECTION 3. Said chapter 218 is hereby further
2 amended by inserting after section 76 the following
3 section: —

4 *Section 76A.* The salary of each full time justice
5 of the central district court of Worcester shall be eight
6 thousand dollars.

1 SECTION 4. Section 78 of said chapter 218, as
2 appearing in the Tercentenary Edition, is hereby

3 amended by striking out, in line 2, the words “the
4 three preceding sections” and inserting in place thereof
5 the words:— sections seventy-five to seventy-seven,
6 inclusive, — so that the introductory paragraph will
7 read as follows:— The annual salaries of the justices
8 of district courts, except as provided in sections
9 seventy-five to seventy-seven, inclusive, shall be deter-
10 mined by the population of their respective judicial
11 districts as ascertained by the last preceding national
12 or state census, as follows:

1 SECTION 5. Said chapter 218 is hereby further
2 amended by striking out section 79, as most recently
3 amended by section 2 of chapter 136 of the acts of
4 1943, and inserting in place thereof the following:—
5 *Section 79.* In courts in which the salaries of justices
6 are fixed by section seventy-eight, except courts in
7 Suffolk county in which such salaries are so fixed, the
8 salaries of clerks shall be equal to seventy-five per
9 cent of the salaries established for the justices of their
10 respective courts; and the salaries of assistant clerks,
11 other than second, third and fourth assistant clerks,
12 shall be equal to seventy-five per cent, and the salaries
13 of second assistant clerks shall be equal to sixty per
14 cent, and the salaries of third assistant clerks shall be
15 equal to forty-five per cent, of the salaries of the clerks
16 of their respective courts.

1 SECTION 6. Notwithstanding the provisions of
2 section one of this act, no vacancy in the office of
3 special justice in the central district court of Worcester,
4 occurring after the effective date of this act, shall be
5 filled.

