

SENATE No. 91

To accompany the petition of John G. Brackett for legislation relative to the settlement of damage suits on behalf of minors. Joint Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-One.

An Act relative to the Settlement of Damage Suits on Behalf of Minors.

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 one, chapter two hundred and five of
2 the General Laws is hereby amended by inserting
3 after section six the following new section six A:
4 *Section 6A.* No action of tort or claim for
5 injury to a minor shall be settled for more than
6 two hundred dollars except during trial without
7 the assent of a guardian appointed by the probate
8 court, who shall receive the money and release
9 the claim, and no judgment thereon for more
10 than two hundred dollars shall be paid except to
11 such guardian. No such action shall be settled
12 for more than two hundred dollars during trial
13 without the assent of a guardian *ad litem*, ap-

14 pointed by the trial court, unless a guardian has
15 been appointed by the probate court. No such
16 action or claim shall be settled or judgment
17 thereon satisfied in any case in which such
18 guardian has not been appointed unless the
19 amount to be paid for the benefit of the minor,
20 after the payment of reasonable charges, be
21 deposited in a Massachusetts savings bank in the
22 name of the minor, and such deposit shall be a
23 satisfaction of the judgment.

24 If the probate court finds that a guardian is
25 appointed solely for the purpose of representing
26 his ward in such an action or claim, said guardian
27 may in the discretion of the court be exempted
28 from giving surety on his bond.

