

# HOUSE . . . . No. 1165

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, March 17, 1927.

The joint committee on the Judiciary, to whom was referred the message from His Excellency the Governor (House, No. 272) transmitting the second annual report of the Judicial Council of Massachusetts (Pub. Doc. 144), report (in part) the accompanying bill (House, No. 1165).

For the committee,

THOS. R. BATEMAN.

## The Commonwealth of Massachusetts

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

An Act relative to the Sittings of the Superior Court.

*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. Sittings of the superior court shall con-  
2 tinue to be held at the places set forth in section four-  
3 teen of chapter two hundred and twelve of the General  
4 Laws. Said court may adjourn any sitting from one  
5 place to another within the county, whether it be to a  
6 place named in said section fourteen for the holding of  
7 sittings or not, in the manner and with the effect of  
8 adjournment to another shire town, and such adjourn-  
9 ment shall be subject to all the laws relative to adjourn-  
10 ment to another shire town. The court may hold  
11 sittings for naturalization in any city or town. Subject  
12 to section thirty-seven of chapter two hundred and  
13 fourteen of the General Laws, the chief justice of said  
14 court shall from time to time establish regular sittings  
15 in the manner hereinafter provided, and may establish  
16 special sittings and separate sessions of regular or special  
17 sittings, at the places set forth in said section fourteen,  
18 and sittings for naturalization at such places as he shall  
19 deem advisable, and may designate the classes of busi-  
20 ness for which the several sittings and sessions are es-  
21 tablished. Subject to the provisions of chapter two  
22 hundred and thirty-four of the General Laws, jurors  
23 summoned for one sitting or session may be used for

24 any other as occasion may require. Regular sittings  
25 shall be established on or before November first in each  
26 year for the year beginning the first Monday of January  
27 next ensuing and unless changed shall be held at the  
28 same times from year to year, but may be changed at  
29 any time by the chief justice. An order establishing a  
30 sitting in any county shall be entered on the records of  
31 the court in such county, and public notice shall be given  
32 by posting a copy of such order in the office of the clerk  
33 on or before November fifteenth following the estab-  
34 lishment of the sitting, or otherwise as the chief justice  
35 may direct.

1 SECTION 2. Regular sittings of the courts for the  
2 transaction of civil or criminal business shall commence  
3 on the day appointed therefor and end on the day pre-  
4 ceding the day appointed for the commencement of the  
5 next regular sitting in such county for the transaction of  
6 the same kind of business; but if a case is on trial at  
7 the end of a sitting, such sitting may be continued, and  
8 jurors serving in such case may be required to serve  
9 until the case is finished.

1 SECTION 3. All provisions of law prescribing or regu-  
2 lating the times or places or number of sittings, sessions  
3 or adjournments of sittings of the superior court except  
4 the provisions of said section fourteen of chapter two  
5 hundred and twelve prescribing the places for regular  
6 sittings and the provisions of said section thirty-seven of  
7 chapter two hundred and fourteen shall be of no effect  
8 during the time this act shall be in force; but all other  
9 provisions of law in any way having to do with sittings,  
10 sessions or adjournments of said court, including the  
11 aforesaid provisions of said sections fourteen and thirty-

12 seven, shall during such time be effective for the purposes  
13 of regular and special sittings and sessions established  
14 hereunder and of adjournments made hereunder, except  
15 that writs of venire facias in accordance with section two  
16 of chapter two hundred and seventy-seven of the General  
17 laws, as amended by section seven of chapters three hun-  
18 dred and eleven of the acts of nineteen hundred and  
19 twenty-four, shall be issued not less than twenty-eight  
20 days before the first Monday of January and July,  
21 respectively.

1 SECTION 4. This act shall take effect on the first day  
2 of September in the current year for the purposes of  
3 establishing sittings and sessions for the year beginning  
4 on the following first Monday of January, entering orders  
5 establishing sittings as aforesaid, and giving public notice  
6 of such orders. It shall become fully effective on said  
7 first Monday of January and shall cease to have effect  
8 on the first Monday of January, nineteen hundred and  
10 thirty-three.