

By Mr. Goodwin of Melrose (by request), petition of Robert Goodman for an amendment of the poor debtor law and relative to supplementary proceedings in civil actions. Judiciary (Joint). Jan. 18.

The Commonwealth of Massachusetts

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

An Act amending the Poor Debtor Law and relative to Certain Supplementary Proceedings in Civil Actions.

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 six of chapter two
2 hundred and twenty-four of the General Laws
3 is amended by inserting after the word “ Bos-
4 ton ” in the eleventh line the words:— or in
5 any district court within the county of Suffolk,
6 — so that the first sentence will read as fol-
7 lows:— Except as provided in section five,
8 all proceedings for the examination, commit-
9 ment or discharge of a defendant arrested on
10 mesne process or on execution, and all supple-
11 mentary proceedings under this chapter as to
12 a judgment debtor, shall be had in the district
13 court within whose judicial district the de-
14 fendant or debtor was arrested or lives or has
15 a usual place of business or employment; or if

16 the defendant or debtor was arrested or lives
17 or has a usual place of business or employment
18 in the county of Suffolk, such proceedings may
19 also be had in the municipal court of the city
20 of Boston or in any district court within the
21 county of Suffolk; or, if the defendant or
22 debtor does not live or have a usual place of
23 business or employment within the common-
24 wealth, such proceedings may also be had in the
25 district court within whose judicial district the
26 record of the original action is kept.

1 SECTION 2. Section four of chapter two hun-
2 dred and sixty-two of the General Laws, as
3 amended by section one of chapter three hun-
4 dred and sixty-three of the acts of nineteen
5 hundred and twenty-six and by section three of
6 said chapter three hundred and thirty-four, is
7 hereby further amended by striking out, in the
8 fourth line of the first paragraph inserted by
9 section three of said chapter three hundred
10 and thirty-four, the words "three dollars"
11 and inserting in place thereof the words: — one
12 dollar, — so that said paragraph will read as
13 follows: — Upon the commencement of supple-
14 mentary proceedings under chapter two hun-
15 dred and twenty-four there shall be paid to the
16 clerk, if any, of the court, otherwise to the
17 justice, an entry fee of one dollar. The entry
18 fee and the fees of witnesses and officers shall
19 be allowed the creditor as costs. The plaintiff
20 or creditor making affidavit to the court as

21 provided in section two or six of said chapter
22 shall pay a fee of one dollar, which fee, together
23 with any sums paid under section twelve of
24 said chapter shall be taxed in the plaintiff's or
25 creditor's costs. The only other fees under
26 said chapter, except as provided in section nine
27 of said chapter and except those of officers,
28 shall be payable in advance by the defendant or
29 debtor as follows: —

