

HOUSE No. 1915

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 10, 1945.

The committee on the Judiciary, to whom was referred so much of the annual reports of the Judicial Council (Pub. Doc. No. 144) as relates to consolidation of civil cases for trial (20th report, page 14), report the accompanying bill (House, No. 1915).

For the committee,

WILLIAM E. HAYS.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE TRIAL AND DISPOSITION OF CERTAIN ACTIONS AND PROCEEDINGS PENDING IN DIFFERENT COURTS.

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same, as follows:

1 Section two B of chapter two hundred and twenty-
2 three of the General Laws, inserted by section one of
3 chapter three hundred and sixty-nine of the acts of
4 nineteen hundred and forty-three, is hereby amended
5 by striking out, in the sixth and seventh lines, the
6 words "petition filed therein by" and inserting in
7 place thereof the words:— motion of, — so as to
8 read as follows:— *Section 2B.* Whenever cross ac-
9 tions between the same parties or two or more actions,
10 including for the purposes hereof other court pro-
11 ceedings, arising out of or connected with the same
12 accident, event or transaction are pending, one or
13 more in the superior court and also one or more in
14 one or more district courts, the superior court, upon
15 motion of any party to any of such actions, may
16 order that the action or actions pending in the dis-
17 trict court or courts, with all the papers relating
18 thereto, be transferred to the superior court without

19 the payment of any entry fee, or, with the consent of
20 all principal parties to all such actions, may order
21 that such actions be transferred without the payment
22 of any entry fee to a designated district court in
23 which any of such actions is pending.

