

HOUSE No. 1016.

Bill accompanying the petition of Frederick M. J. Sheenan for legislation relative to the establishment of exceptions disallowed by the court. Joint Judiciary. January 23.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eight.

AN ACT

Relative to the Establishment of Exceptions disallowed by
the 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. Section one hundred and ten of chapter
2 one hundred and seventy-three of the Revised Laws is
3 hereby amended by inserting after the word "grievance",
4 in line six, the words:— *and filed with the clerk of the*
5 *court in which the case is pending,*— so as to read as fol-
6 lows:— *Section 110.* If the presiding justice, or
7 another justice of the same court, under the provisions of
8 section one hundred and eight, disallows or fails to sign
9 and return the exception or alters any statement therein,

10 and either party is aggrieved thereby, the truth of the
 11 exceptions presented may be established before the full
 12 court upon petition stating the grievance, *and filed with*
 13 *the clerk of the court in which the case is pending,* and
 14 thereupon, the truth of the exceptions being established,
 15 they shall be heard, and the same proceedings taken, as
 16 if the exceptions had been duly allowed and entered.
 17 The supreme judicial court shall make rules for settling
 18 the truth of exceptions alleged and not allowed.

1 SECTION 2. This act shall take effect upon its passage.
