

HOUSE No. 1888

The Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, March 5, 1912.

The joint committee on the Judiciary, to whom was referred the petition (accompanied by bill, House, No. 1379) of Henry Herrick Bond for legislation relative to the reporting of actions to the Supreme Judicial Court, report the accompanying bill.

For the committee,

GEORGE P. DRURY.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twelve.

AN ACT

To authorize Reports of Cases to the Supreme Judicial Court by a Justice other than the One Presiding at the Trial.

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 eight of chap-
2 ter one hundred and seventy-three of the Revised Laws
3 is hereby amended by adding at the end thereof the
4 words:— If the justice who presides at a trial has re-
5 served a case for report to the supreme judicial court,
6 or to the full court, and fails, by reason of physical or men-
7 tal disability, death or resignation, to make such report,
8 any other justice of the same court shall examine and re-
9 port the same,— so as to read as follows:— *Section 108.*
10 If the justice who presides at a trial at which exceptions
11 have been taken fails, by reason of physical or mental
12 disability, death or resignation, to sign or return them,
13 any other justice of the same court may examine and
14 allow or disallow them. If the justice who presides at
15 a trial has reserved a case for report to the supreme judi-
16 cial court, or to the full court, and fails, by reason of
17 physical or mental disability, death or resignation, to

18 make such report, any other justice of the same court
19 shall examine and report the same.

1 SECTION 2. This act shall apply to actions now pend-
2 ing.

1 SECTION 3. This act shall take effect upon its passage.

