

HOUSE No. 1126

Bill accompanying the petition of Essex S. Abbott that the original and appellate jurisdiction of the Supreme Judicial Court be transferred to the Superior Court. Joint Judiciary. January 20.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Fourteen.

AN ACT

To transfer the Original Jurisdiction and Certain Appellate Jurisdiction of the Supreme Judicial Court to 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. The supreme judicial court shall be a
2 court of law and sit as a full court in banc, and shall
3 exercise its appellate jurisdiction only. All of its original
4 jurisdiction and all of its jurisdiction in appeals from
5 the probate court, except appeals upon questions of law
6 which may be heard by the full court, shall be transferred
7 to the superior court; and any other duty except that per-
8 taining to the exercise of appellate jurisdiction of the
9 full court, which by the provision of any statute is to be
10 performed by the supreme judicial court or by any jus-

11 tice or justices thereof, shall be performed by a justice
12 or justices of the superior court.

1 SECTION 2. The supreme judicial court shall sit at
2 Boston but may sit at other places at such times as the
3 court may deem expedient.

1 SECTION 3. This act shall take effect on the first day
2 of July in the year nineteen hundred and four-
3 teen, and all matters pending in the supreme judicial
4 court on said day shall be transferred to the superior
5 court of the county in which said actions are pending,
6 except as hereinafter provided. The supreme judicial
7 court may retain its jurisdiction of any action pending
8 in said court and unfinished on the last day of June in
9 said year, if the chief justice of said court shall, by his
10 order, direct the clerk of said court in the county where
11 said action is pending to retain the jurisdiction thereof
12 and cause the said action to remain upon the docket of
13 said court. And for the purpose of trying, hearing or
14 otherwise disposing of such action in which said court
15 shall retain jurisdiction as aforesaid, the said court or
16 a single justice thereof may sit at such time and place
17 as the chief justice of said court may designate, but any
18 issue of fact to be tried by a jury shall be sent to the
19 superior court.