

HOUSE No. 2128

By Mr. Backman of Brookline, petition of Jack H. Backman that district courts be authorized to waive an indigent's appeal bond in petitions to vacate judgment. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

AN ACT PERMITTING THE DISTRICT COURT TO WAIVE AN INDIGENT'S APPEAL BOND IN A PETITION TO VACATE JUDGMENT.

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 24 of chapter 250 of the General Laws,
2 as most recently amended by chapter 290 of the acts of 1969,
3 is hereby amended by striking out the last sentence and in-
4 serting in place thereof the following:—The court may, in its
5 discretion, stay or supersede execution of judgment, without
6 requiring bond or security if it is satisfied that the petitioner
7 has insufficient funds available to him to furnish the necessary
8 bond or security.

1 SECTION 2. Chapter 250 of the General Laws is hereby
2 amended by adding to section 17 the following sentence:—The
3 court may, in its discretion, vacate judgment and stay or
4 supersede execution thereof without requiring bond or security,
5 if it is satisfied that the petitioner has insufficient funds avail-
6 able to him to furnish the necessary bond or security.

In the House of Representatives of the United States of America, at the City of Washington, on the _____ day of _____, 19____.

The Committee on _____

has the honor to report to the House the following _____
