

SENATE No. 760

By Mr. Tobin, a petition (accompanied by bill, Senate, No. 760) of Alfred L. Podolski, Chief Judge of Probate, Arthur H. Tobin and David H. Locke for legislation to eliminate the right to remove equity cases from the jurisdiction of the probate court to the Superior Court. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-eight.

AN ACT ELIMINATING THE RIGHT TO REMOVE EQUITY CASES FROM THE JURISDICTION OF THE PROBATE 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 Chapter 217 of the General Laws is hereby further amended
- 2 by striking the entire first paragraph of section 6 and insert-
- 3 ing in place thereof the following paragraph: —
- 4 Probate courts shall have original and concurrent juris-
- 5 diction with the supreme judicial and superior courts of all
- 6 cases and matters of equity cognizable under the general
- 7 principles of equity jurisprudence and, with reference thereto,
- 8 shall be courts of general equity jurisdiction, except that the
- 9 superior court shall have exclusive original jurisdiction of
- 10 all actions in which injunctive relief is sought in any matter
- 11 growing out of a labor dispute as defined in section twenty C
- 12 of chapter one hundred and forty-nine.

