

## HOUSE...No. 84.

---

### Commonwealth of Massachusetts.

---

HOUSE OF REPRESENTATIVES, February 15, 1861.

The Committee on Probate and Chancery, to whom was referred the Order of the House, of January 26, 1861, requiring them to consider the expediency of amending chapter 121, section 16 of the General Statutes, so that judges of the court of probate and insolvency may have the same supervision and control of the records of their courts as the judges of the supreme judicial court and the superior court now have, have considered the same, and report the accompanying Bill.

Per order of the Committee,

WM. BENNETT.

## Commonwealth of Massachusetts.

---

In the Year One Thousand Eight Hundred and Sixty-One.

---

### AN ACT

Giving to Judges of Probate and Insolvency, supervision of the Records of their respective Courts.

*Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:—*

1    SECT. 1. The judges of the probate court and of  
2 the court of insolvency in their several counties, shall,  
3 as often as every six months, inspect the doings of the  
4 register of said court, and see that the records and  
5 files are made up seasonably and kept in good order;  
6 and if the records are left incomplete for more than  
7 six months at any one time, such neglect, unless caused  
8 by sickness or other extraordinary casualty, shall  
9 be adjudged a forfeiture of the register's bond.

1    SECT. 2. In case of any neglect causing a forfeiture  
2 of the register or assistant register's bonds, the said  
3 judge shall forthwith give notice thereof in writing

4 to the treasurer having custody of the bond, who shall  
5 thereupon cause said bond to be put in suit ; and the  
6 sum recovered in such suit shall be applied to making  
7 up the deficient records under the direction of the  
8 court in whose records the deficiency happens, and  
9 the surplus, if any, shall be carried into the account  
10 of such treasurer.

1     SECT. 3. Nothing herein contained shall exempt  
2 said registers or assistant registers from a suit for any  
3 other breach of their bond, or from their liability in  
4 any other way, or to any party, for neglect or miscon-  
5 duct in their office.

