

HOUSE...No. 181.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, March 25, 1858.

The Committee on Matters of Probate and Insolvency, to whom was referred the Bill "concerning Courts of Insolvency," introduced on leave, have considered the same, and report that it ought to pass, with certain amendments indicated thereon by the Committee.

Per Order,

J. A. ANDREW, *Chairman.*

Commonwealth of Massachusetts.

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

AN ACT

Concerning the Courts of Insolvency.

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. Whenever any debtor, entitled to the
2 benefit of the insolvent laws of this Commonwealth,
3 shall desire to avail himself thereof, he may file his
4 petition in the office of the register of insolvency for
5 the county having jurisdiction in his case, and such
6 register, under the direction of the judge, by standing
7 rule or any order, may issue a warrant thereupon in
8 the usual form, except that the warrant shall bear the
9 test of the judge, and shall be signed by the register:
10 *provided*, that at the first meeting, or sooner, if appli-
11 cation be made by the debtor, or any one interested
12 in the estate, on hearing, the judge may annul the

13 act of said register, if the warrant shall have been
14 illegally issued, or may order the same to be amended ;
15 otherwise he shall be deemed to have adjudged the
16 same to be legal and in due form.

1 SECT. 2. Judges of the several courts of insol-
2 vency may interchange services at such times and in
3 such manner as they may determine.

1 SECT. 3. In case of the death or resignation of
2 any judge of insolvency, his duties shall be performed
3 by the same judge now by law required to perform the
4 duties of any judge unable to act in his said capacity,
5 by reason of sickness, absence, interest, or other
6 cause.

1 SECT. 4. All the provisions of this act which
2 apply to the judges of insolvency and all which apply
3 to the registers of insolvency, respectively, shall in
4 like manner apply to the judges of probate and in-
5 solvency and to the registers of probate and insol-
6 vency, respectively, who shall be appointed or chosen
7 under the act entitled, "An Act to change the juris-
8 diction in matters of Probate and Insolvency."

1 SECT. 5. This act shall take effect from and after
2 its passage.

