

Record Groups JU

# Judiciary

Repository:  
Massachusetts Archives  
220 Morrissey Blvd  
Boston, MA 02125

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## **Record Group List:**

- [Court of Assistants \(JU1\)](#)
- [Superior Court of Judicature \(JU3\)](#)
- [Land Court \(JU6\)](#)
- [Commissioner of Probation \(JU7\)](#)

See also: Supreme Judicial Court records finding aid.

## **Record Group Descriptions and Related Series:**

### **Record Group Number: JU1**

### **Record Group Name: Court of Assistants**

#### **Historical Note:**

Assistants, also designated judicially in their own towns as magistrate, with powers of justice of the peace, were chosen annually by the General Court of the Governor and Company of the Massachusetts Bay, the colony chartered by the English Crown in 1629. They met separately from the General Court as a whole (i.e., including its freemen--or, from 1634, their elected deputies), constituting with the governor and deputy governor a Court of Assistants. In 1634 this body's legislative powers were ceded to the General Court as a whole (Mass Recs 1: 117). From 1636 certain members were appointed as members for life of a standing council to the governor (see: Massachusetts. Council. Agency history record).

By 1644, while assistants continued to meet separately--now concurrently with a House of Deputies, thus in effect being the upper house of the General Court--the designation of Court of Assistants was reserved for the assistants acting solely in their judicial capacity, this body continuing until the institution of the Dominion of New England in 1686 and then again with the 1689 revival of colonial government until institution of the Province of the Massachusetts Bay in 1692.

Judicial powers of the court were narrowed in 1636 with the institution of inferior quarter courts in four towns, each composed of assistants (as magistrates) and associates designated by the General Court (Mass Recs 1: 169); these became county courts in 1643. With the advent of such quarter courts, the Court of Assistants limited its purview to civil cases involving ten pounds or more (twenty, after the 1639 institution of a Boston quarter court), divorce (Colonial Laws, 1639), and criminal cases involving life, member, or banishment. The court also heard appeals from lower courts, with which it shared some

concurrent jurisdiction until 1649, when such was limited to appeals (Mass Recs 2: 279; 3: 167, 180).

Additional Description: <http://www.worldcat.org/oclc/145430052>

### **Related Series:**

#### **Records, 1629-1692**

Identifier: JU1/2044X

Extent: For current extent consult index database

Additional Description: <http://www.worldcat.org/oclc/145430196>

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## **Record Group Number: JU3**

## **Record Group Name: Superior Court of Judicature**

### **Historical Note:**

The Superior Court of Judicature, Court of Assize, and General Gaol Delivery, was created by the General Court of the Province of the Massachusetts Bay (as Massachusetts was designated by the Charter of 1691), initially by St 1692-3, c 33 (disallowed by the English Privy Council) and then by St 1699-1700, c 3. The court had cognizance of all pleas involving real or personal property, pleas to which the English Crown was a party, and all matters relating to conservation of the peace and punishment of offenders. The governor and council retained only a few of the judicial powers of the colonial Court of Assistants to which the new court corresponded, the most significant being their designation as Supreme Ordinary of Probate. Under the Constitution of the Commonwealth, 1780, the court was succeeded by the Supreme Judicial Court.

Additional Description: <http://www.worldcat.org/oclc/82113383>

### **Related Series:**

#### **Records, 1692-1780**

Identifier: JU3/2022X

Extent: For current extent consult index database

Additional Description: <http://www.worldcat.org/oclc/82028069>

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## **Record Group Number: JU6**

### **Record Group Name: Land Court**

#### **Historical Note:**

After a recommendation in Governor William E. Russell's inaugural address (Jan. 8, 1891) that Massachusetts adopt the Australian Torrens system of land registration and transfer, the governor was authorized to appoint a commission to draft appropriate legislation (St 1893, c 100), and later another committee (St 1897, c 511). The resulting Land Registration Act (St 1898, c 562) established the Court of Registration to have exclusive jurisdiction over applications for registration of land titles in the Commonwealth and related matters. It was renamed Court of Land Registration (St 1900, c 354, s1) and then Land Court (St 1904, c 448, s1). It is currently defined as the Land Court Department of the Trial Court (St 1978, c 478, s 2) and its functions are currently described in MGLA c 185, ss 1-25A.

Additional Description: <http://www.worldcat.org/oclc/122656183>

#### **Related Series:**

##### **Final registration decrees, 1898-1972**

Identifier: JU6/272

Extent: 38 volumes; 38 microfilm reels

Arranged: Arranged chronologically.

Notes: Spine title: Decrees

Microfilm reel number 5 (October 1955-February 1956) missing.

Additional Description: <http://www.worldcat.org/oclc/122609947>

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## **Record Group Number: JU7**

### **Record Group Name: Commissioner of Probation**

#### **Related Series:**

##### **Annual reports, 1909-1963**

Identifier: JU7/1318 (subseries)

Extent: Partial document box

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