

By Mr. Murphy of Peabody, petition of John E. Murphy for trials in civil actions by juries of six in the district courts of Essex County. The Judiciary.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Fifty-Six.

AN ACT PROVIDING FOR TRIALS BY JURIES OF SIX IN THE DISTRICT COURTS OF ESSEX COUNTY.

*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. Chapter 218 of the General Laws is  
2 hereby amended by inserting after section 56 the follow-  
3 ing four sections:—

4 *Section 56A.* After the entry of a civil action in the  
5 district courts of Essex county, either party may, within  
6 the time provided or allowed for the filing of an answer,  
7 claim a trial by a jury of six.

8 *Section 56B.* Trials by jury in the district courts of  
9 Essex county shall proceed in accordance with the pro-  
10 visions of law applicable to trials by jury in the superior  
11 court, except that the number of peremptory challenges  
12 shall be one half the number provided by section twenty-  
13 nine of chapter two hundred and thirty-four. Jurors  
14 shall be drawn from the pool of jurors available for the  
15 jury sessions in civil cases in the superior court. The  
16 justice of the first district court of Essex shall arrange  
17 jury sessions in said courts and shall assign justices there-  
18 for, to the end that there may be a speedy disposition of  
19 cases tried by jury in said court.

20 *Section 56C.* In the event of a trial by jury in the  
21 district courts of Essex county, review may be had  
22 directly by the supreme judicial court, by a bill of excep-

23 tions, appeal or report, in the same manner provided for  
24 trials by jury in the superior court.

25 *Section 56D.* If either party refuses to agree to a  
26 trial by a jury of six in the district courts of Essex county,  
27 he may, in accordance with the provisions of sections  
28 one hundred and four to one hundred and seven, inclu-  
29 sive, of chapter two hundred and thirty-one, remove  
30 the case for a trial in the superior court. Any case so  
31 removed by a defendant shall be advanced in the superior  
32 court for speedy trial if the ad damnum is less than five  
33 thousand dollars.

1 SECTION 2. This act shall take effect on January  
2 first, nineteen hundred and fifty-seven, and shall apply  
3 to actions filed after said date.