

[Similar Matter Filed During Past Session —  
See Senate No. 1631 of 1991.]

**SENATE . . . . . No. 861**

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By Mr. Tisei, a petition (accompanied by bill, Senate, No. 861) of Richard R. Tisei and William F. Cass for legislation to allow for the right of appeal of small claims court decisions by the plaintiff. The Judiciary.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Ninety-Two.

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AN ACT ALLOWING FOR THE RIGHT OF APPEAL OF SMALL CLAIMS COURT DECISIONS BY THE PLAINTIFF.

*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 218, section 23 of the Massachusetts General Laws, as
- 2 appearing in the 1988 Official Edition, is hereby amended by
- 3 striking out lines ten through fifteen, inclusive, and inserting in
- 4 place thereof the following: —
- 5 “Neither a plaintiff nor a defendant beginning a cause under
- 6 the procedure shall be deemed to have waived a trial by jury and
- 7 any right of appeal to a jury of six session in the district court
- 8 department. The defendant or the plaintiff may, within”.

