

HOUSE No. 1047

Bill accompanying the petition of Peter J. Casey for legislation relative to appeals to the Superior Court in civil cases. Joint Judiciary. January 18.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eleven.

AN ACT

Relative to Appeals to the Superior Court in Civil Cases.

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. In all civil cases tried in all municipal,
2 district or police courts, or before a trial justice in this
3 commonwealth, if the defendant be aggrieved by the
4 decision and judgment therein he may appeal to the
5 superior court without furnishing a bond on such appeal
6 by claiming the appeal in writing after judgment has
7 been entered, to be entered at the next return day of the
8 superior court, and he shall thereupon pay the regular
9 entry fee in the superior court.

1 SECTION 2. In the case of a plaintiff in a civil action
2 before any municipal, district or police court, or a trial

3 justice, if he be aggrieved by the judgment in the action,
4 he shall furnish a bond on his appeal as is now provided
5 for by law.

1 SECTION 3. The purpose of this act is to enable poor
2 persons brought to trial in the lower courts to have a
3 free and untrammelled right of trial by jury.

1 SECTION 4. This act shall take effect upon its passage.