

## HOUSE...No. 32.

### Commonwealth of Massachusetts.

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HOUSE OF REPRESENTATIVES, Jan. 29, 1856.

The Committee on the Judiciary, to whom was referred the Order to inquire into the expediency of reporting a Bill, making, in all jury trials before Justices of the Peace, where the amount of damage claimed does not exceed fifty dollars, their decision final, have considered the same, and report the accompanying Bill.

For the Committee,

E. B. STODDARD.

## Commonwealth of Massachusetts.

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

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### AN ACT

Relating to Trials by Jury before Justices of the Peace  
and Justices of Police Courts.

*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. In any action of contract commenced be-  
2 fore justices of the peace and justices of the police and  
3 justices' courts, within their respective counties, when  
4 either party has a right to demand a trial by jury un-  
5 der the three hundred and fourteenth chapter of the  
6 Acts of the year one thousand eight hundred and fifty-  
7 two, the judgment entered according to the verdict of  
8 a jury, or the decision of the said court, when no  
9 trial by a jury is demanded, shall be final, unless the  
10 appellant, as hereafter provided, before the allowance

11 of his appeal, in addition to the recognizance now  
12 required by law for costs, shall also recognize, with  
13 sufficient surety or sureties, if required, to the adverse  
14 party for the payment of the amount of the judgment  
15 finally recovered.

1     SECT. 2. If any party, aggrieved by the judgment  
2 of said court or the verdict of a jury, at any time  
3 within twenty-four hours after the entry of the judg-  
4 ment, shall file a motion in writing, claiming an ap-  
5 peal to the court of common pleas or the superior  
6 court of the county of Suffolk, no execution shall  
7 issue, until he has been allowed seven days after the  
8 entry of the judgment, within which to recognize as  
9 now required by law to prosecute his appeal with ef-  
10 fect, and to pay all such costs as may arise after the  
11 appeal, and also to pay the amount of the judgment  
12 in the court where it is finally recovered.

1     SECT. 3. All acts and parts of acts inconsistent  
2 herewith are hereby repealed.

