
By Mr. Bulger, a petition of William M. Bulger for legislation to provide for trial by jury of certain civil cases in the Municipal Court of the City of Boston, which were commenced in said court and tried before a justice thereof. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Three.

AN ACT PROVIDING FOR TRIAL BY JURY OF CERTAIN CIVIL CASES IN THE MUNICIPAL COURT OF THE CITY OF BOSTON, WHICH WERE COMMENCED IN SAID COURT AND TRIED BEFORE A JUSTICE THEREOF.

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. Section 104 of chapter 231 of the General Laws,
2 as most recently amended by chapter 377 of the acts of 1965
3 is hereby further amended by adding thereto the following
4 paragraph:

5 Notwithstanding the foregoing provisions, there shall be no
6 right in any part to an action commenced and tried (without
7 prior removal to the superior court) in the municipal court
8 of the city of Boston to remove or transfer said case for trial
9 by the superior court pursuant to the provisions of this section.
10 Instead, upon request filed with the clerk of said municipal
11 court within ten days after notice of the decision or finding,
12 any party to such action may claim a trial before another
13 justice of said municipal court sitting with a jury of twelve.
14 Trials by such juries in said municipal court shall proceed in
15 accordance with the provisions of law and rules of court
16 applicable to trials by jury in the superior court and, in such
17 cases, the said municipal court shall be vested with all
18 attendant rights, powers and duties of the superior court.
19 Jurors shall be drawn from the pool of jurors available for
20 the jury session in the superior court for Suffolk county. The
21 chief justice of the municipal court of the city of Boston shall
22 arrange jury sessions in his court and assign justices and

23 special justices thereto, to the end that there may be a speedy
24 disposition of cases tried by jury in said municipal court. In
25 event of a trial by jury in the municipal court of the city of
26 Boston, review may be had directly by the supreme judicial
27 court by a bill of exceptions, appeal, or report in the same
28 manner provided for trials by jury in the superior court.

1 SECTION 2. This act shall take effect upon its passage.