

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 199

House of Representatives, Feb. 19, 1919.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Mason of Ellsworth.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

AN ACT to Amend Section One Hundred and Twenty-seven of Chapter Eighty-seven of the Revised Statutes, Relating to Affidavits of Plaintiffs.

Be it enacted by the People of the State of Maine, as follows:

Section 127 of chapter 87 of the revised statutes is hereby
2 amended by inserting after the word "writ" in the second
3 line of said section, the following words, viz: 'except in
4 any action brought against the estate of deceased persons,'
5 so that said section as amended shall read as follows:

'Sect. 127. In all actions brought on an itemized account
2 annexed to the writ, except in any action brought against
3 the estate of deceased persons, the affidavit of the plain-

4 tiff, made before a notary public using a seal, that the ac-
5 count on which the action is brought is a true statement
6 of the indebtedness existing between the parties to the
7 suit, with all proper credits given, and that the prices or
8 items charged therein are just and reasonable, shall be
9 prima facie evidence of the truth of the statement made
10 in such affidavit, and shall entitle the plaintiff to the judg-
11 ment, unless rebutted by competent and sufficient evidence.
12 When the plaintiff is a corporation, the affidavit may be
13 made by its president, secretary or treasurer.'