

MAINE STATE LEGISLATURE

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Sixty-Fourth Legislature.

HOUSE.

No. 170.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-NINE.

AN ACT to amend section 128 of chapter 82 of the
Revised Statutes, relating to indorsements of writs
and other processes.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows:*

SECTION 1. Section 128 of chapter 82 of the Re-
vised Statutes is hereby amended by adding after
the word "costs," in the last line of said section,
the words: 'The provisions of this section are
applicable to processes in equity, except so far as
relates to costs, which are subject to the discretion
of the court,' so that said section, as amended, shall
read as follows:

'Sect. 128. The name and place of residence of
an assignee, if known, shall, at any time during the

11 pendency of the suit, be indorsed by request of the
12 defendant on a writ or process commenced in the
13 name of his assigner, or further proceedings
14 thereon shall be stayed; and if the defendant pre-
15 vails, judgment for his costs shall be rendered
16 against the plaintiff and such assignee, as if both
17 had been originally joined in the action; but if not
18 so indorsed, and proceedings are stayed, the de-
19 fendant may maintain an action on the case against
20 the assignee for his costs. The provisions of this
21 section are applicable to processes in equity, except
22 so far as relates to costs, which are subject to the
23 discretion of the court.'

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 15, 1889. }

Reported from Committee on Legal Affairs by Mr. SPRAGUE of
Dexter; ordered printed under joint rule.

NICHOLAS FESSENDEN, *Clerk.*