

MAINE STATE LEGISLATURE

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Sixty-Sixth Legislature.

SENATE.

No. 62.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-THREE.

AN ACT to amend Section 25 of Chapter 82 of the Revised
Statutes relating, to offer to be Defaulted.

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

SECTION 1. Section 25 of chapter 82 of the Revised
2 Statutes is hereby amended by adding after the word
3 "costs" in the sixth line thereof the words 'but no costs
4 shall be allowed the defendant if the offer is accepted
5 within the time fixed by the court, nor if accepted when
6 no time has been so fixed' and also by adding after the
7 word "if" in said line the words 'the offer is not so accept-
8 ed and' so that said section as amended shall read as
9 follows:

‘Section 25. In any personal action the defendant may
11 in writing entered of record with its date, offer to be
12 defaulted for a specified sum. If accepted, interest may
13 be added from that date to date of judgment. If not
14 accepted within such time as the court orders it shall not
15 be offered in evidence nor have any effect upon the rights
16 of the parties, nor the judgment to be rendered except
17 the costs; but no costs shall be allowed the defendant if
18 the offer is accepted within the time fixed by the court
19 nor if accepted when no time has been so fixed. If the
20 offer is not so accepted and the plaintiff fails to recover
21 a sum as due at the time of the offer greater than the
22 sum offered, he recovers such costs only as accrued before
23 the offer, and the defendant recovers costs accrued after
24 that time, and his judgment for costs may be set off
25 against the plaintiff’s judgment for debt and costs.’

STATE OF MAINE.

IN SENATE, February 16, 1893.

Reported by Mr. MAYO, from Committee on the Judiciary, and laid
on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*.