

MAINE STATE LEGISLATURE

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EIGHTY-SECOND LEGISLATURE

S. P. No. 463

S. D. No. 173

In Senate, March 10, 1925.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Barwise of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-FIVE

AN ACT to Amend Section One Hundred Twenty-seven of Chapter Eighty-seven of the Revised Statutes, Relating to the Affidavit of Plaintiff Being Taken as Prima Facie Evidence.

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

Section one hundred twenty-seven of chapter eighty-seven
2 of the revised statutes is hereby amended by inserting after
3 the word "public" in the third line of said section and be-
4 fore the word "using" the words 'within or without the
5 state,' so that said section, as amended, shall read as fol-
6 lows:

'Sect. 127. Affidavit of plaintiff prima facie evidence.

2 1913, c. 137. In all actions brought on an itemized account
3 annexed to the writ, the affidavit of the plaintiff, made be-
4 fore a notary public, within or without the state, using a
5 seal, that the account on which the action is brought is a
6 true statement of the indebtedness existing between the par-
7 ties to the suit, with all proper credits given, and that the
8 prices or items charged therein are just and reasonable,
9 shall be prima facie evidence of the truth of the statement
10 made in such affidavit, and shall entitle the plaintiff to the
11 judgment, unless rebutted by competent and sufficient evi-
12 dence. When the plaintiff is a corporation, the affidavit
13 may be made by its president, secretary or treasurer.'