

# MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

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House Document

No. 724

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S. P. 716            House of Representatives, March 21, 1929.

Referred to Committee on Revision of Statutes in concurrence and 500 copies ordered printed.

CLYDE R. CHAPMAN, Clerk.

Presented by Senator Weatherbee of Penobscot.

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STATE OF MAINE

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

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AN ACT to Amend Section One Hundred Twenty-seven of Chapter Eighty-seven of the Revised Statutes as Amended by Chapter Ninety-six of the Public Laws of Nineteen Hundred Twenty-five, Relative to Affidavits of Plaintiffs in Actions on Account Annexed.

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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 as amended by chapter ninety-six  
3 of the public laws of nineteen hundred twenty-five is here-  
4 by amended by adding after the word "deputy" in the thir-  
5 teenth line of said section as amended the words 'or assist-  
6 ant,' so that said section as amended shall read as follows :

'Sec. 127. *Authority of notaries public without the state*  
2 *to be certified to by a clerk of a court of record.* In all  
3 actions brought on an itemized account annexed to the writ,  
4 the affidavit of the plaintiff, made before a notary public  
5 using a seal, that the account on which the action is brought  
6 is a true statement of the indebtedness existing between the  
7 parties to the suit with all proper credits given, and that  
8 the 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. If  
14 the said affidavit be made before a notary public using a  
15 seal without the state, his authority as a notary public to  
16 act and to administer an oath shall be certified thereto and  
17 the genuineness of his signature certified by a clerk of a  
18 court of record or by a deputy or assistant clerk of the  
19 same and have the seal of said court attached thereto.'