

HOUSE No. 423

By Mr. Chambers of Malden, petition of the Massachusetts Lawyers Legislative Council for an amendment of the law relative to claims not attachable by trustee process. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Three.

AN ACT FURTHER REGULATING THE LAW RELATIVE TO
CLAIMS NOT ATTACHABLE BY TRUSTEE PROCESS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section thirty-two of chapter two hundred and
2 forty-six of the General Laws, inserted by chapter
3 three hundred and forty-three of the acts of nineteen
4 hundred and thirty-eight, is hereby amended by
5 inserting after the word "commenced" the follow-
6 ing: — but this clause shall not apply to an action in
7 contract for rent or use and occupation or for services
8 rendered or for goods sold and delivered or for money
9 due under a contract in writing, provided the actual
10 amount claimed is in excess of fifty dollars and the
11 plaintiff or his attorney shall endorse an affidavit to
12 this effect on the writ, — so as to read as follows: —
13 *Section 32.* Eighth, By reason of money or credits
14 due for the wages of personal labor or services of the
15 defendant, for a claim of fifty dollars or less, unless

16 such attachment is authorized in advance by written
17 permission endorsed upon the writ and signed by a
18 justice, associate justice or special justice of the court
19 in which the action is commenced; but this clause
20 shall not apply to an action in contract for rent or
21 use and occupation or for services rendered or for
22 goods sold and delivered or for money due under a
23 contract in writing, provided the actual amount
24 claimed is in excess of fifty dollars and the plaintiff
25 or his attorney shall endorse an affidavit to this effect
26 on the writ.