

HOUSE No. 532

Bill accompanying the petition of Essex S. Abbott for the abolition of fictitious costs in civil actions. Legal Affairs. January 13.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Fifteen.

AN ACT

Relative to Costs in Civil Actions.

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 1. Section twenty-four of chapter two hun-
2 dred and three of the Revised Laws is hereby amended
3 by striking out said section and inserting in place thereof
4 the following:—*Section 24.* There shall be allowed
5 as costs in a civil action in the supreme judicial court or
6 the superior court, in addition to other disbursements
7 allowed by law, an entry fee of three dollars.

1 SECTION 2. Section twenty-seven of chapter two
2 hundred and three of the Revised Laws is hereby
3 amended by striking out said section and inserting in
4 place thereof the following:—*Section 27.* There shall

5 be allowed as costs in a civil action in a police, district
6 or municipal court or before a trial justice, in addition
7 to other disbursements allowed by law, an entry fee of
8 one dollar.

1 SECTION 3. Section twenty-eight of chapter two
2 hundred and three of the Revised Laws is hereby
3 amended by striking out said section and inserting in
4 place thereof the following:— *Section 28.* There shall
5 be allowed as costs to a trustee or an adverse claimant
6 in an action by the trustee process in a police, district
7 or municipal court or before a trial justice, in addition
8 to the other disbursements allowed by law, such costs
9 as the court may allow.

1 SECTION 4. Section thirty of chapter two hundred
2 and three of the Revised Laws is hereby repealed.

1 SECTION 5. Section sixty-seven of chapter one
2 hundred and eighty-nine of the Revised Laws is hereby
3 amended by striking out the words “for travel and term
4 fees, and such further amount”, in the fourth line,—so
5 that the same shall read as follows:— *Section 67.* If a
6 person who is summoned as a trustee in the supreme judi-
7 cial court or the superior court appears and answers pur-
8 suant to the provisions of this chapter, he shall be allowed
9 his costs for counsel fees and other necessary expenses as
10 the court may allow. If he is so summoned in a police,
11 district or municipal court, or before a trial justice, he
12 shall be allowed the costs fixed by section twenty-eight of
13 chapter two hundred and three. If there has been a trial
14 between the plaintiff and the alleged trustee upon any
15 issue of fact the court may award costs to either party.

1 SECTION 6. The provisions of this act shall not apply
2 to any costs which shall have accrued in any pending ac-
3 tion at the time this act goes into effect.

1 SECTION 7. This act shall take effect on the first day
2 of July in the year nineteen hundred and fifteen.

The first part of the paper is devoted to a general discussion of the problem of the stability of the equilibrium of a system of particles. It is shown that the stability of the equilibrium depends on the nature of the forces acting on the particles. In particular, it is shown that the equilibrium is stable if the forces are conservative and if the potential energy has a local minimum at the equilibrium position. This result is known as the Lagrange-Dirichlet theorem.

The second part of the paper is devoted to a study of the stability of the equilibrium of a system of particles in the case of non-conservative forces. It is shown that the equilibrium is stable if the forces are dissipative and if the potential energy has a local minimum at the equilibrium position. This result is known as the Chetaev theorem.

The third part of the paper is devoted to a study of the stability of the equilibrium of a system of particles in the case of non-dissipative forces. It is shown that the equilibrium is stable if the forces are conservative and if the potential energy has a local minimum at the equilibrium position. This result is known as the Dirichlet theorem.

The fourth part of the paper is devoted to a study of the stability of the equilibrium of a system of particles in the case of non-conservative forces. It is shown that the equilibrium is stable if the forces are dissipative and if the potential energy has a local minimum at the equilibrium position. This result is known as the Chetaev theorem.

The fifth part of the paper is devoted to a study of the stability of the equilibrium of a system of particles in the case of non-dissipative forces. It is shown that the equilibrium is stable if the forces are conservative and if the potential energy has a local minimum at the equilibrium position. This result is known as the Dirichlet theorem.