

HOUSE No. 37

Bill accompanying the petition of Michael F. O'Malley for legislation to regulate the assignment of wages. Joint Judiciary. January 1.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Thirteen.

AN ACT

To regulate the Assignment of Wages.

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 one hundred and twenty-five of
2 chapter five hundred and fourteen of the acts of the year
3 nineteen hundred and nine, as amended by chapter five
4 hundred and sixty-three of the acts of nineteen hundred
5 and ten, is hereby further amended by striking out all of
6 the said section down to and including the word
7 "thereto", in line fifteen, and inserting in place thereof
8 the following:— No assignment of or order for wages,
9 or power of attorney to collect wages to be earned in the
10 future to secure a loan of two hundred dollars or less,
11 or to secure an indebtedness, or for the purchase or re-

12 demption of goods, wares, or merchandise, shall be valid
13 until the assignment, order, or power of attorney is ac-
14 cepted in writing by the employer, and the acceptance
15 of the assignment, order or power of attorney is recorded
16 with the clerk of the city or town where the person mak-
17 ing the assignment or giving the order or power of attor-
18 ney resides, if a resident of the commonwealth, or the city
19 or town in which he is employed, if he is not a resident
20 of this commonwealth. No such assignment, or order
21 for wages, or power of attorney to collect wages already
22 due, or to be earned in the future, shall be valid when
23 made by a married man unless the written consent of the
24 wife to the making of the assignment, or giving the order
25 or power of attorney, is attached thereto, and recorded
26 therewith, — so that the section will read as follows: —
27 *Section 125.* No assignment of, or order for wages, or
28 power of attorney to collect wages to be earned in the
29 future to secure a loan of two hundred dollars or less, or
30 to secure an indebtedness, or for the purchase or redemp-
31 tion of goods, wares or merchandise, shall be valid until
32 the assignment, order, or power of attorney is accepted
33 in writing by the employer, and the acceptance of the
34 assignment, order or power of attorney is recorded with
35 the clerk of the city or town where the person making the
36 assignment or giving the order or power of attorney
37 resides, if a resident of the commonwealth, or the city or
38 town in which he is employed, if he is not a resident of
39 this commonwealth. No such assignment of, or order
40 for wages, or power of attorney to collect wages already
41 due or to be earned in the future, shall be valid when
42 made by a married man unless the written consent of the
43 wife to the making of the assignment, or giving the order
44 or power of attorney is attached thereto, and recorded

45 therewith. No assignment of future earnings shall be
46 valid against a trustee process unless before service of
47 the writ upon the alleged trustee, the assignment shall
48 have been recorded in the office of the clerk of the city or
49 town in which the assignor resides at the time of such
50 record. Such record shall not affect the rights or liability
51 of the person or corporation from whom such earnings
52 shall be due otherwise than is provided in this section.

1 SECTION 2. This act shall take effect upon its passage.

