

By Mr. Dignan of Braintree, petition of William J. Dignan and another for legislation to extend the time for filing answers in impleader. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Two.

**AN ACT EXTENDING THE TIME FOR FILING AN ANSWER IN IM-
PLEADER.**

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

1 Chapter 231 of the General Laws is hereby amended by
2 striking out section 4B, as most recently amended by chapter
3 324 of the acts of 1968, and inserting in place thereof the
4 following section: —

5 *Section 4B.* Before the filing of his answer, or within ninety
6 days thereafter, a defendant, on notice to plaintiff, may, as
7 third-party plaintiff, enter a writ and have served a summons
8 and third-party declaration upon a person who is or may be
9 liable to him for all or part of the plaintiff's claim against him.
10 Subsequent to ninety days after filing his answer, the defen-
11 dant may move on notice to the plaintiff for leave so to enter
12 a writ and have served a summons and declaration upon such
13 person, hereinafter entitled the third-party defendant. Such
14 third-party defendant shall make his defenses to the third-party
15 plaintiff's claim, and may also assert against the plaintiff any
16 defenses which the third-party plaintiff has to the plaintiff's
17 claim. The plaintiff may be amendment assert any claim against
18 the third-party defendant arising out of the transaction or
19 occurrence that is the subject matter of the plaintiff's claim
20 against the third-party plaintiff, and the third-party defendant
21 thereupon shall assert his defenses. A third-party defendant
22 may proceed under this section against any person who is or

23 may be liable to him for all or part of the claim made in the
 24 action against the third-party defendant, and subsequent parties
 25 defendant may, likewise, proceed under this section against
 26 persons who may in turn be liable to such subsequent parties
 27 defendant for all or part of the claims made against such
 28 subsequent parties defendant.