

HOUSE....No. 73.

[Proposed by Mr. PARKER, of Worcester, as a substitute for House No. 59.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Fifty-
Eight.

AN ACT

Relating 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 SECT. 1. In any civil action or proceeding pending
2 in any of the courts of this Commonwealth, for advise-
3 ment of the court, or under reference by a rule of a
4 court, or under commitment to an auditor or auditors,
5 or to await, or to abide any decision in any other suit

6 or proceeding, the term fees to be taxed in favor of
7 the prevailing party thereto, shall be one dollar only
8 for each intermediate term.

1 SECT. 2. The like term fee of one dollar shall be
2 allowed for the prevailing party for each term during
3 which the action shall not be upon the trial calendar;
4 but when any civil action or proceeding in any court
5 of this Commonwealth is upon the trial list, full term
6 fees shall be allowed to the prevailing party.

1 SECT. 3. All acts and parts of acts inconsistent
2 with this act, be and are hereby repealed.