

# MAINE STATE LEGISLATURE

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# Sixty - Second Legislature.

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HOUSE.

No. 7.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
EIGHTY-FIVE.

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AN ACT to authorize Attachments and Arrests, after  
service, under special precepts.

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*Be it enacted by the Senate and House of Representatives  
in Legislature assembled, as follows:*

SECTION 1. At any time during the pending of  
2 a suit, libel, petition, or other proceeding at law or  
3 in equity, before a trial justice, police or municipal  
4 court, or before any superior court or the supreme  
5 judicial court, upon the institution of which  
6 an attachment is authorized by law, such trial  
7 justice or the court in which such cause is pending,  
8 or a justice thereof, in term time or vacation, may,  
9 on motion, *ex parte*, upon good cause shown, direct  
10 by special precept that an arrest of the defendant,

11 or an attachment of his property by trustee process,  
12 or otherwise, be made to secure the judgment or  
13 decree, which the plaintiff may obtain in said cause;  
14 but no arrest of the defendant shall be authorized,  
15 unless the plaintiff, or some person in his behalf,  
61 makes affidavit, and proves to the satisfaction of  
17 the trial justice or court the same facts that would  
18 be required to authorize arrests on mesne process.

SECT. 2. The form of such precepts shall be the  
2 same, so far as practicable, as that established for  
3 original writs of attachment and arrest; but the  
4 supreme judicial court may, by general rules, at  
5 any time establish forms therefor.

SECT. 3. Such precepts may be served by an  
2 officer authorized to serve the original process in  
3 the cause, and shall be returnable as may be di-  
4 rected by the court issuing the same.

SECT. 4. Attachments and arrests so made shall  
2 be subject to all the provisions of law relating to  
3 attachments and arrests upon mesne process, so far  
4 as applicable.

STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES, }  
January 20, 1885. }

Presented by Mr. HEATH, and on his motion ordered printed.

NICHOLAS FESSENDEN, *Clerk.*