MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1875.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 28, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.
1875.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1875.

Chapter 38.

An act to amend the forty-eighth section of the eighty-second chapter of the revised statutes, in relation to demands filed in set off.

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

The forty-eighth section of the eighty-second chapter of the revised statutes, is hereby amended so as to read as follows, to wit:

Demands in set off, proceedings in case of.

'SECT. 48. Demands between plaintiffs and defendants may be set off against each other, as follows: The defendant, during the term to which the writ is returnable, must file a brief statement of his demand, in substance as certain as in a declaration, which by leave of the court may be amended. The clerk shall enter on it and on the docket the date, and on the docket, under the action, notice of the filing.'

Approved February 24, 1875.

Chapter 39.

An act explanatory of and additional to section sixty-five of chapter eighty-one of the revised statutes, relating to civil actions.

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

Attachments of property of persons deceased, how construed.

SECT. 1. So much of section sixty-five of chapter eighty-one of the revised statutes, as relates to attachments of property, shall be understood and construed to apply to such property as the debtor owned, or in which he had an interest at the time of his death, and which, by the dissolution of such attachments, becomes assets belonging to his estate, to be distributed amongst his creditors.

—not dissolved by decease of party or decree of insolvency.

SECT. 2. When property has been legally attached on a just debt or claim, and the debtor subsequently sells or conveys the same, subject to such attachment, such attachment shall not be dissolved or affected by his death or by a decree of insolvency in the probate court, but judgment may be entered and execution issue in the same form as if the estate were solvent, and may be levied on the property attached in the same manner as if the debtor were alive.

Approved February 24, 1875.