DOCUMENTS

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THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1835.

AUGUSTA:
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1835.
FIFTEENTH LEGISLATURE.

NO. 14. HOUSE.

STATE OF MAINE.
IN THE YEAR OF OUR LORD, ONE THOUSAND EIGHT HUNDRED AND THIRTY-FIVE.

AN ACT regulating attachments on Real Estate.

Be it enacted by the Senate and House of Representatives, in Legislature assembled, That from and after the day of no attachment on any Real Estate shall be valid, unless the officer serving the writ or precept, shall go to and come in contact with the Real Estate to be attached, and make certificate of such attachment on such writ or precept, particularly describing the same and the time at which it was made, and shall deliver an attested copy of said certificate to some one of the de-
fendants, if any one shall be resident in the County where the Real Estate is, within twelve days after said attachment shall have been made; or if neither of the defendants in said writ or precept shall live in said County, said officer shall inclose said attested copy in a letter directed to some one of the defendants, and deposite the same in some Post Office in said County, within five days after said attachment.

STATE OF MAINE.
IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND THIRTY-FIVE.

AN ACT additional to An Act respecting the attachment of Real Estate on Mense Process.

[NEW DRAFT.]

SECTION 1. Be it enacted by the Senate and House of Representatives, in Legislature assembled, That from and after the first day of May next, whenever the Real Estate of any person or persons in this State shall be attached on mesne process by virtue of any writ or process, the officer making service of any such writ or process shall have a true and attested copy of such writ or process, together with a true and
10 attested copy of his return thereon, at the dwelling house of the town or plantation Clerk where
11 such Real Estate lies; and the attachment of
12 such Real Estate shall not be deemed and con-
13 sidered as made until such attested copies shall
14 have been left in manner as aforesaid: And in
15 case there be no town or plantation Clerk in
16 such town or plantation, then the officer making
17 such service shall within ten days next after ser-
18 vice of the writ or process is by him made, leave
19 a copy of such writ or process and return, as
20 before required, with the Clerk of the Court of
21 Common Pleas in the County where such Real
22 Estate lies. And in such case the attachment
23 shall not be considered as made, until such at-
24 tested copy shall have been left with the Clerk
25 in manner as aforesaid: Provided, however,
26 that the return of the officer shall always be
27 deemed and taken as sufficient evidence that such
28 attested copy as aforesaid has been left with the
29 town or plantation Clerk or Clerk of the Court
30 of Common Pleas, as in this act is required.

Sec. 2. Be it further enacted, That it shall
2 be the duty of such town or plantation Clerk or
3 Clerk of the Court of Common Pleas, to receive
such copies and to minute thereon the time when such copies are received, and to keep the same on file, for which service he shall be entitled to receive of such officer seventeen cents. And the officer making such attachment and such copies, shall be entitled to tax, in addition to his other fees, his travel from the place where the service is made to the office of such town or plantation Clerk or Clerk of the Court of Common Pleas, and also for such copies.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

February 5, 1835.

Mr. Cilley, from the Select Committee to whom was referred on the 29th ult. the Bill "regulating attachments on Real Estate," reported the same in a new draft, entitled "An Act additional to an Act respecting the attachment of Real Estate on Mesne Process," and 500 copies of the new draft and of the original Bill were ordered to be printed for the use of the members.

[Extract from the Journal of the House.]

Attest: JAMES L. CHILD, Clerk.