

# MAINE STATE LEGISLATURE

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# DOCUMENTS

PRINTED BY ORDER OF

# THE LEGISLATURE,

OF THE

# STATE OF MAINE,

DURING ITS SESSION

# A. D. 1835.

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*AUGUSTA:*  
WILLIAM J. CONDON,.....PRINTER.

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1835.

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FIFTEENTH LEGISLATURE.

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NO. 31.

HOUSE.

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STATE OF MAINE.

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

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AN ACT regulating Attachments on Real Estate.

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SECTION 1. *Be it enacted by the Senate and*  
2 *House of Representatives, in Legislature as-*  
3 *sembled,* That from and after the first day of  
4 July next, no attachment on any real estate shall  
5 be valid, unless the officer serving the writ or  
6 precept make certificate of such attachment on  
7 such writ or precept, noting the time of such  
8 attachment, with a description of the property  
9 attached, and deliver an attested copy of said  
10 certificate to some one of the Defendants, if any

11 one shall be resident in the County where the  
 12 Real Estate is, within six days after said attach-  
 13 ment shall have been made, or if neither of the  
 14 Defendants in said writ or precept shall live in  
 15 said County, said officer shall enclose said at-  
 16 tested copy in a letter directed to some one of  
 17 the Defendants and deposite the same in some  
 18 Post Office in said County where some one of  
 19 the Defendants live, within five days after said  
 20 attachment. And if any such Defendant or De-  
 21 fendants, after legal notice of said attachment,  
 22 shall make sale of any such Real Estate so at-  
 23 tached, without giving information of the fact to  
 24 the purchaser, the said Defendant or Defendants  
 25 upon being convicted thereof in any Court com-  
 26 petent to try the offence, shall be adjudged guilty  
 27 of fraud and suffer imprisonment in the State  
 28 Prison for a term not exceeding two years, ac-  
 29 cording to the aggravation of the offence.

SECT. 2. *Be it further enacted,* That the  
 2 writ on which the officer's return of any attach-  
 3 ment on Real Estate shall be made, or a certi-  
 4 fied copy of such attachment, shall be filed in  
 5 the Court to which said writ is returnable, with-  
 6 in three days after the commencement of the

7 term of the Court, and also a certified copy of  
8 the officer's return of the attachment shall be  
9 filed in the Clerk's office of the County where  
10 the land is situated, within fourteen days after  
11 the return day of said writ, and shall remain on  
12 file until the rendition of judgment; and in every  
13 action entered in Court, where such attachment  
14 of Real Estate shall have been made, the names  
15 of all the defendants whose Real Estate is thus  
16 attached, shall be entered in the docket, and  
17 shall so remain; and if the Plaintiff, by himself  
18 or any agent or attorney, shall neglect so to file  
19 said writ or certified copy, or shall within said  
20 time withdraw said writ or certified copy from  
21 the files of said Court, or shall neglect to insert  
22 the names of all the defendants whose property  
23 is so attached, the attachment shall be null and  
24 void.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }  
February 24, 1855. }

READ three times, and ordered to lie on the table, and four hundred copies printed for the use of the Legislature.

[Extract from the Journal.]

Attest,        JAMES L. CHILD, Clerk.