

MAINE STATE LEGISLATURE

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FIFTY-NINTH LEGISLATURE.

HOUSE.

No. 122.

STATE OF MAINE.

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

AN ACT to amend chapter ninety-one of the revised
statutes.

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

SECTION 1. Section ten of chapter ninety-one of
2 the revised statutes is hereby amended by adding
3 thereto the words "and whenever a vessel shall
4 have been attached as aforesaid, and the expense
5 of retaining possession of said vessel shall be great,
6 or the vessel shall be liable to depreciate in value
7 by reason thereof, any attaching creditor, or an
8 owner of said vessel may, in term time or vacation,
9 petition a justice of the supreme judicial court,
10 praying that said vessel attached as aforesaid may

11 be sold; and said justice may order a hearing on
12 said petition; and due notice shall be given to all
13 parties in interest, of the time and place appointed
14 for said hearing, and a hearing on said petition
15 shall be had before a justice of said court; and if
16 it shall then appear to said justice to be for the
17 benefit of all parties in interest that said vessel should
18 be sold, said justice shall issue to the officer in
19 possession of said vessel, or to the sheriff of the
20 county in which said vessel has been attached, an
21 order to sell said vessel at public auction, and said
22 justice shall designate in said order the notice to
23 be given of the time and place of said sale; and
24 said vessel shall be sold pursuant to said
25 order, and the proceeds of said sale, after deduct-
26 ing necessary expenses, shall be held by the first
27 attaching officer, or the sheriff, subject to the suc-
28 cessive attachments as if sold on execution; *pro-*
29 *vided, however,* that if said parties do not consent
30 to a sale as herein provided, the provisions of
31 sections twenty-nine to thirty-eight inclusive, of
32 chapter eighty-one of the revised statutes, so far
33 as the same are applicable, shall apply to proceed-
34 ings under this act."

SECT. 2. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
March 16, 1880. }

Reported by Mr. INGALLS, from Committee on Judiciary, and
ordered printed under Rule.

ORAMANDAL SMITH, *Clerk.*