

MAINE STATE LEGISLATURE

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Sixty-Fifth Legislature.

HOUSE.

No. 101.

STATE OF MAINE.

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

AN ACT additional to and amendatory of section
six of chapter seventy-seven of the Revised Statutes
relating to the equity jurisdiction of the Supreme
Judicial Court.

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

SECTION 1. A bill in equity may be maintained
2 to reach and apply in payment of a debt any prop-
3 erty of a debtor, as provided by clause ten of sec-
4 tion six of chapter seventy-seven of the Revised
5 Statutes, notwithstanding the fact that the prop-
6 erty sought to be reached and applied is in the

7 hands, possession or control of the debtor inde-
8 pendently of any other person, or that it is not
9 within the State, or that it is of uncertain value,
10 provided the value can be ascertained by a sale or
11 appraisal, or by any means within the ordinary
12 procedure of the court, or that it cannot be reached
13 and applied until a future time.

SECT. 2. In such suit the interest of a co-partner
2 in the partnership property may be reached and
3 applied to payment of the plaintiff's debt; pro-
4 vided, however, that unless the plaintiff's debt is
5 in judgment, the business of the partnership shall
6 not be interfered with by injunction or otherwise
7 farther than to restrain the withdrawal of any por-
8 tion of the debtor's share or interest therein, unless
9 and until the plaintiff's debt is established; and
10 provided further, that if either co-partner shall
11 give to the plaintiff a sufficient bond with sureties
12 approved by the clerk, conditioned to pay to the
13 plaintiff the amount of his debt and costs within
14 thirty days after the same is established, the court
15 shall proceed no further therein save to establish
16 the debt; and any injunction previously issued
17 therein shall be dissolved upon the filing of such
18 bond.



STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 18, 1891. }

Reported by Mr. SAVAGE of Auburn, from Committee on Judiciary,
and ordered printed under joint rules.

W. S. COTTON, *Clerk.*