

MAINE STATE LEGISLATURE

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Seventy-first Legislature.

SENATE.

No. 143

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THREE.

AN ACT relating to the dissolution of attachments by filing
bond.

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

Section 1. Chapter three hundred eleven of the Public
2 Laws of eighteen hundred and eighty-nine is hereby amended
3 so as to read as follows: 'When real estate or personal
4 property is attached on mesne process, and in all cases of
5 attachment on trustee process, the attachment shall be vacated,
6 upon the defendant, or someone in his behalf, delivering to
7 the officer who made such attachment, or to the plaintiff or
8 his attorney, a bond to the plaintiff in such sum not less than
9 the ad damnum of the writ and with such sureties as may
10 be approved by the plaintiff or his attorney, or by any justice
11 or clerk of the supreme judicial or superior courts; condi-

tioned that within thirty days after the rendition of the judgment, or after the adjournment of the court in which it is rendered, or after the certificate of decision of the law court shall be received in the county where the cause is pending, he will pay to the plaintiff or his attorney of record, the amount of said judgment including costs; the bond shall be returned by the officer with the process, for the benefit of the plaintiff and thereupon all liability of the officer to the plaintiff by reason of such attachment shall cease. Upon request the plaintiff or his attorney, shall give to the defendant a certificate acknowledging the discharge of such attachment, which may be recorded in the registry of deeds or town clerk's office, as the case may be, in which the return of the attachment is filed; the register of deeds or town clerk shall be entitled to twenty-five cents for recording the same. If stock in any corporation is attached, such certificate shall be filed with the officer of the corporation, with whom the return of such attachment is filed, and he shall record the same. In trustee process the alleged trustee shall not be liable to the principal defendant for the goods, effects and credits in his hands or possession until such certificate shall be delivered to him, and upon receiving such certificate, he shall be discharged from further liability in said trustee action, and need not disclose, and shall not recover costs.'

Sect. 2. Sections eighty-five, eighty-six and eighty-seven of chapter eighty-six of the Revised Statutes are hereby repealed.

Sect. 3. This act shall take effect when approved.



STATE OF MAINE.

IN SENATE, February 27, 1903.

Reported by Mr. GOODWIN from Committee on Revision of Statutes,
and laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*.