

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# SEVENTY-FOURTH LEGISLATURE

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HOUSE.

No. 598

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## STATE OF MAINE.

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

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AN ACT to amend Section 55 of Chapter 88 of the Revised  
Statutes, relating to Trustee Process.

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*Be it enacted by the People of the State of Maine, as follows:*

Section 1. To amend chapter eighty-eight, section fifty-  
2 five, subsection six, by striking out, in the fifth and sixth  
3 lines of said subsection six, the words "and this is not ex-  
4 empt in any suit for taxes or for necessaries furnished him  
5 or his family," and substituting in place thereof the fol-  
6 lowing: 'and the sum of ten dollars shall be exempt in all  
7 cases, except in a suit for taxes,' and further amend said  
8 subsection six by adding, after the word "husband" in the

9 last line of said subsection, the following: 'if, after wages  
10 for personal labor or services have been attached and before  
11 entry of writ, the defendant tenders to the plaintiff or to  
12 his attorney the whole amount due and recoverable in the  
13 action and the fees of the officer for serving the writ, the  
14 plaintiff shall recover no costs, except the fees of the offi-  
15 cer; and if the defendant is defaulted without an appear-  
16 ance, or if he files an offer of judgment on the return day  
17 of the writ, and the plaintiff accepts such offer or fails to  
18 secure more than the amount thereof and of the interest  
19 thereon from its date, the plaintiff shall recover no costs,  
20 except the entry fee and the officers' fees,' so that said  
21 section, as amended, shall read as follows:

'VI. By reason of any amount due from him to the prin-  
23 cipal defendant, as wages for his personal labor, or that of  
24 his wife or minor children, for a time not exceeding one  
25 month next preceding the service of the process, and not  
26 exceeding twenty dollars of the amount due to him as  
27 wages for his personal labor; and ten dollars shall be ex-  
28 empt in all cases, except in a suit for taxes; moreover, wages  
29 of minor children and of women, are not, in any case, sub-  
30 ject to trustee process on account of any debt of parent or  
31 husband; if, after wages for personal labor or services have  
32 been attached and before entry of the writ, the defendant  
33 tenders to the plaintiff or to his attorney the whole amount  
34 due and recoverable in the action and the fees of the officer

35 for serving the writ, the plaintiff shall recover no costs,  
36 except the fees of the officer; and if the defendant is de-  
37 faulted without an appearance, or if he files an offer of  
38 judgment on the return day of the writ, and the plaintiff  
39 accepts such offer or fails to secure more than the amount  
40 thereof and of the interest thereon from its date, the plain-  
41 tiff shall recover no costs, except the entry fee and the offi-  
42 cers' fees.'

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,

Augusta, March 12, 1909.

Reported by Mr. SMITH from Committee on Legal Affairs  
and ordered printed under joint rules.

E. M. THOMPSON. *Clerk.*