

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-FIRST LEGISLATURE

SENATE

NO. 255

In Senate, March 19, 1923.

Reported by Mr. Brewster from Committee on Legal Affairs and laid on table to be printed under joint rules.

L. ERNEST THORNTON, Secretary.

STATE OF MAINE

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

AN ACT to Amend the Trustee Process.

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

Chapter ninety-one, section fifty-five, paragraph six of the
2 revised statutes is hereby amended by inserting between
3 the words "due" and "to" in the fourth line the words 'and
4 payable' and by adding to the end of the paragraph the
5 words 'The trustee shall pay to the defendant the amount
6 exempt from attachment at the same time and in the same
7 manner as if no process had been served.' So that chapter
8 ninety-one, section fifty-four, paragraph six shall read as
9 follows:

By reason of any amount due from him to the principal

2 defendant, as wages for his personal labor, or that of his
3 wife or minor children, for a time not exceeding one month
4 next preceding the service of the process, and not exceed-
5 ing twenty dollars of the amount due and payable to him
6 as wages for his personal labor; and ten dollars shall be
7 exempt in all cases; moreover, wages of minor children and
8 of women, are not, in any case, subject to trustee process on
9 account of any debt of parent or husband; if after wages
10 for personal labor or services have been attached and before
11 entry of the writ, the defendant tenders to the plaintiff or
12 to his attorney the whole amount due and recoverable in
13 the action and the fees of the officer for serving the writ,
14 the plaintiff shall recover no costs, except the fees of the
15 officer; and if the defendant is defaulted without an ap-
16 pearance or if he files an offer of judgment on the return
17 day of the writ, and the plaintiff accepts such offer or fails
18 to 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. The trustee
21 shall pay to the defendant the amount exempt from attach-
22 ment at the same time and in the same manner as if no pro-
23 cess had been served.'