

MAINE STATE LEGISLATURE

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E I G H T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 181

H. P. 486

House of Representatives, January 26, 1939.

Referred to Committee on Judiciary. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Dow of Norway.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

**AN ACT Relating to the Enforcement of Executions Against Towns and
Cities.**

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

Sec. 1. R. S., c. 56, § 116, amended. Section 116 of chapter 56 of the revised statutes is hereby amended to read as follows:

'Sec. 116. Property of inhabitants of counties, etc., may be taken for debts. The property of the inhabitants of counties, ~~towns, cities,~~ and other quasi-corporations, may be taken to pay any debt due from the body politic, of which they are members. All sums so paid, with interest and costs, may be recovered of such body politic.'

Sec. 2. R. S., c. 98, § 30, amended. Section 30 of chapter 98 of the revised statutes is hereby repealed and the following is enacted in place thereof:

'Sec. 30. Executions and warrants of distress against towns. When an execution or warrant of distress against a city or town shall be presented for payment, it shall be the duty of such city or town to pay such execution or warrant of distress in full forthwith and if there be insufficient funds appropriated to make such payment possible, then it is the duty of such

city or town to levy a special tax to raise sufficient funds for such purpose and if the said city or town shall not thus perform its duty, mandamus will lie on the relation of a person interested to compel such performance.'

Sec. 3. R. S., c. 98, §§ 31, 32, repealed. Sections 31 and 32 of chapter 98 of the revised statutes are hereby repealed.