

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

S. P. 313.

In Senate, February 6, 1941.

Referred to Committee on Judiciary and 500 copies ordered printed.
Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Hildreth of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

AN ACT Relating to Valuation and Release of Attached Property.

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

R. S., c. 95, § 78, amended. Section 78 of chapter 95 of the revised statutes is hereby amended to read as follows :

'Sec. 78. Valuation and release on bond of debtor. If, at the hearing, such justice finds that such interest is worth as much as the amount ordered in the writ to be attached, he shall order such defendant to give bond to the plaintiff, with sufficient sureties, conditioned to pay the judgment recovered by the plaintiff, with his costs on the petition, within 30 days after judgment, **such bond, except as hereinafter provided, to be in an amount equal to the amount ordered in the writ to be attached; but,** if he finds that such interest ~~it~~ is worth less ~~the bond shall be conditioned to pay the value of such interest so found and costs on the petition, within said time.~~ than the amount ordered in the writ to be attached, such bond, **except as hereinafter provided, shall be in an amount equal to the value of such interest; provided, however, that if, in either event the justice shall find that the value of the interest attached is in excess of the amount of any judgment which the plaintiff may reasonably be expected to recover, with his costs on the petition, he may fix the amount of such bond at such sum,**

not exceeding the amount ordered to be attached and not exceeding the value of the interest attached, as he may deem adequate to protect the plaintiff in the collection of any judgment recovered by him, with his costs on the petition.'