

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1880.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

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1880.

PUBLIC LAWS
OF THE
STATE OF MAINE.
1880.

Chapter 240.

An act relating to the Salary of Governor.

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

Salary of govern-
or fixed.

SECT. 1. The governor of the state is entitled to receive after the first Wednesday of January, in the year of our Lord one thousand eight hundred and eighty-one, a salary of two thousand dollars per annum from the treasurer of the state, in quarterly payments, on the first day of January, April, July and October of each year.

Inconsistent acts
repealed.

SECT. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved March 18, 1880.

Chapter 241.

An act relating to seiznres on Executions.

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

Sec. 56, ch. 81,
R. S., amended.

SECT. 1. Section fifty-six of chapter eighty-one of the revised statutes is hereby amended by inserting after the word "defendant" in the thirteenth line the following words : 'no seizure on execution of real estate where there is no subsisting attachment thereof made in the suit in which such execution issues, shall create any lien on such real estate, unless the officer making it within five days thereafter files in the office of the register of deeds in the county or district in which all or any part of said estate is situated, an attested copy of so much of his return on said execution as relates to the seizure, with the names of the parties, the date of the execution, the amount of the debt and costs named therein, and the court by which it was issued. If the copy is not so filed the seizure shall take effect from the time it is filed,' so that said section, as amended, shall read as follows :

Attachments of
real estate not
valid unless re-
corded five days.

'SECT. 56. No attachment of real estate on mesue process shall create any lien thereon, unless the nature and amount of plaintiff's demand is set forth in proper counts, or a specification thereof is annexed to the writ nor unless the officer making it within five days thereafter files in the office of register of deeds in the county or district in which all or any

part of said estate is situated, an attested copy of so much of his return on the writ, as relates to the attachment with the value of the defendant's property which he is thereby commanded to attach, the names of the parties, the date of the writ, and the court to which it is returnable. If the copy is not so filed within five days, the attachment shall take effect from the time it is filed, if before the entry of the action, although it is after service on the defendant. No seizure on execution of real estate where there is no subsisting attachment thereof made in the suit in which such execution issues, shall create any lien on such real estate, unless the officer making it within five days thereafter files in the office of the register of deeds in the county or district in which all or any part of said estate is situated, an attested copy of so much of his return on said execution as relates to the seizure, with the names of the parties, the date of the execution, the amount of the debt and costs named therein, and the court by which it was issued. If the copy is not so filed the seizure shall take effect from the time it is filed. And such proceedings shall be had in such office, by the register of deeds, as are prescribed in the chapter respecting the registry of deeds.'

Seizure on execution shall not create any lien upon real estate unless filed five days.

Seizure to take effect from time it is filed.

SECT. 2. Section sixteen of chapter seven of the revised statutes is hereby amended by inserting after the word "of," in the first line, the words 'seizures on executions and,' so that said section as amended shall read as follows ;

Sec 16, ch. 7, R. S., amended.

'SECT. 16. Every register shall receive all copies of seizures on executions, and special attachment made and attested by any officer, of real property situate in the county or district of which he is register ; minute on them the time when they are received ; keep them on file for the inspection of parties interested, and enter them in a book kept for that purpose.'

Registers shall receive, file and record copies.

SECT. 3. Section one of chapter one hundred and twenty-eight of the public laws of eighteen hundred and seventy-three is hereby amended by inserting after the word "attachments," in the second line thereof, the words 'and seizures,' so that said section as amended shall read as follows :

Sec. 1, ch. 128, public laws 1873, amended.

'SECT. 1. All recorded deeds shall take precedence over unrecorded attachments and seizures, and so much of section fifty-six of chapter eighty-one of the revised statutes as is repugnant to this act is hereby repealed.'

Recorded deeds shall take precedence to unrecorded attachments and seizures.