

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Eighty-ninth and Ninetieth
Legislatures

OF THE
STATE OF MAINE

From April 21, 1939 to April 26, 1941
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
approved August 6, 1930 and April 2, 1931.

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1941

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninetieth Legislature

1941

CHAP. 96

penalties of section 107. The commissioner may, however, grant permits to agents of the Federal Fish and Wildlife Service and to fruit growers to use poisons in the destruction of rodents.'

Approved March 24, 1941

Chapter 96

AN ACT Relating to Vacating Attachments.

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

R. S., c. 95, § 84, amended. Section 84 of chapter 95 of the revised statutes is hereby amended to read as follows:

'Sec. 84. Attachment may be vacated on bond, condition to pay the judgment. When real estate or personal property is attached on mesne process, and in all cases of attachment on trustee process, the attachment shall be vacated, upon the defendant, or some one in his behalf, delivering to the officer who made such attachment, or to the plaintiff or his attorney, a bond to the plaintiff in ~~such~~ a penal sum not ~~less than~~ exceeding the ad damnum of the writ, ~~and with such sureties as may be approved~~ such bond to be approved as to penal sum and sureties by the plaintiff or his attorney, or by any justice or clerk of the superior court; conditioned that within 30 days after the rendition of the judgment, or after the adjournment of the court in which it is rendered, or after the certificate of decision of the law court shall be received in the county where the cause is pending, he will pay to the plaintiff or his attorney of record, the amount of said judgment including costs; the bond shall be returned by the officer with the process, for the benefit of the plaintiff, and thereupon all liability of the officer to the plaintiff by reason of such attachment shall cease. Upon request the plaintiff or his attorney, shall give to the defendant a certificate acknowledging the discharge of such attachment, which may be recorded in the registry of deeds or town clerk's office as the case may be, in which the return of the attachment is filed. If stock in any corporation is attached, such certificate shall be filed with the officer of the corporation, with whom the return of such attachment is filed, and he shall record the same. In trustee process the alleged trustee shall not be liable to the principal defendant for the goods, effects, and credits in his hands or possession until such certificate shall be delivered to him, and upon receiving such certificate, he shall be discharged from further liability in said trustee action, and need not disclose, and shall not recover costs.'

Approved March 24, 1941