

HOUSE No. 33.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, Jan. 29, 1875.

The Committee on the Judiciary, to whom was referred the Order relative to bonds to dissolve attachments, report the accompanying Bill.

For the Committee,

JOHN T. MORSE, JR.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy-Five

AN ACT

Relative to Bonds to Dissolve Attachments and in
Writs of Review.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

1 SECT. 1. Whenever any defendant in a civil
2 action dissolves an attachment made in said suit
3 by giving bond, as provided by the statutes of this
4 Commonwealth, and is afterwards adjudged a
5 bankrupt, the court may, at any time, upon motion
6 (if it appears that the plaintiff is otherwise entitled
7 to judgment), enter a special judgment, which
8 shall be entitled "Special judgment for the plaintiff
9 to enable him to proceed upon the bond given to
10 dissolve the attachment"; and said judgment shall
11 be deemed and taken to be a sufficient judgment,
12 within the meaning of said statutes, to enable the
13 plaintiff to maintain an action on said bond, no
14 other objection existing thereto: *provided*, the
15 attachment, for the dissolution of which said bond

16 was given, was not made within four months next
17 preceding the commencement of said proceedings
18 in bankruptcy.

1 SECT. 2. This court may render a similar judg-
2 ment, with the same effect, where any defendant
3 in any civil action, upon petition for a review
4 thereof, shall be adjudged a bankrupt after having
5 given the security required by the statute in such
6 cases: *provided*, the attachment in the original
7 action was not made within four months next
8 preceding the commencement of the bankruptcy
9 proceedings.

