

SENATE . . . . No. 244.

---

---

[Senate, No. 176, as amended.]

---

---

**Commonwealth of Massachusetts.**

---

IN SENATE, May 8, 1878.

The Committee on the Judiciary, to whom was committed the Bill relating to the attachment of personal property, have considered the same, and report that the same ought to pass in a new draft herewith reported.

For the Committee,

CHAS. THEO. RUSSELL.

## Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy-Eight.

### AN ACT

Regulating the Fees of Officers in making Attachments  
of Personal Property.

*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. Any officer making an attachment of  
2 personal property, on a writ or other process, may  
3 be allowed by the court, as compensation for remov-  
4 ing or keeping the same, such charges and actual  
5 expenses as are just and reasonable; and the officer  
6 shall return with his precept a bill of particulars of  
7 said expenses, together with his affidavit that the  
8 expenses were actually incurred, and that the charges  
9 are just and reasonable.

1    SECT. 2. The officer making such attachment,  
2 upon written notice by the defendant, shall remove  
3 said property or his keeper without unreasonable  
4 delay.

1    SECT. 3. Personal property may be attached and  
2 kept, as hereinbefore provided, upon the premises  
3 where the same is found, unless the owner or occu-  
4 pant thereof shall, in writing, request the officer to  
5 remove his keeper therefrom ; and, when property is  
6 attached upon the premises of the defendant, if the  
7 defendant shall, in writing, request the officer to  
8 allow the property to remain where attached until  
9 he may give bond to dissolve the attachment, the  
10 property shall not be removed therefrom until he  
11 has had reasonable opportunity to give such bond.

1    SECT. 4. Whenever the person delivering or for-  
2 warding a process to an officer for service requests  
3 said officer to return it by mail or express, compen-  
4 sation shall not be allowed for more than twenty  
5 miles' travel in the service, unless said officer actual-  
6 ly and necessarily travels more than that distance in  
7 serving the same, exclusive of travel from the place  
8 of service to the place of return ; and an officer in  
9 such case, who properly directs such process to the  
10 place of return, and delivers it prepaid at the post-  
11 office, or to an express company, shall not be liable  
12 for damages growing out of its failure to reach its  
13 destination.

1    SECT. 5. This act shall take effect upon its pas-  
2 sage.

