

[Similar Matter Filed During Past Session —
See Senate, No. 876 of 1999-2000.]

SENATE No. 846

By Mr. Creedon, a petition (accompanied by bill, Senate, No. 846) of Robert S. Creedon, Jr., Michael W. Morrissey and Robert S. Bloom for legislation relative to a second attachment of recovery by a defendant. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and One.

AN ACT TO REMOVE AN INCONSISTENCY BETWEEN G. L. C. 246, § 40 AND G. L. C. 235, § 16.

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

1 Chapter 246 of the General Laws is hereby amended by striking
2 out section 40, appearing in the 1998 Official Edition, and
3 inserting in place thereof the following section:—

4 Section 40. If the goods, effects and credits in the hands of a
5 person adjudged a trustee are not demanded of him by force of the
6 trustee execution within thirty days after the date which appears on
7 the trustee execution, they shall be liable to another attachment,
8 whether made before or after said date; or if there has been no such
9 second attachment, they may be recovered by the defendant.

