

May 30

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND EIGHT.

An act regulating attachments on Real Estate.

SECT. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That before any attachment made on any real estate, or on any interest in, of, or concerning the same, by mesne process, shall avail the party for whose benefit such attachment is made, or operate to impair or effect any conveyance of such real estate, or interest in, of or concerning the same, a description of such real estate, or interest in, of or concerning the same sufficiently certain and definite to ascertain the same, together with the names of the parties, in such writ or mesne process named, and the amount of the debt or damage therein demanded, shall be recorded by the clerk of the town, district or plantation, in which said real estate is situated, in a book, by such clerk to be kept for such purpose.

SECT. 2. *And be it further enacted,* That every officer, who shall hereafter attach real estate, or any interest in, of or concerning the same, in addition to the return thereof, by him to be made upon the precept, by which the same was attached, shall also return thereon, that he has caused the same to be recorded in the office of the clerk of the town, district, or plantation, wherein said real estate is situated, together with the time when the same was recorded: And the said officer making such service, shall be allowed the fees which he may be obliged to pay the clerk of any town, district, or plantation, for making the record aforesaid, and shall note the same as a distinct item, in the service of such precept.

SECT. 3. *And be it further enacted,* That the fees to be allowed to the clerk of any town, district, or plantation, for recording attachments by virtue of this act, shall be the same as by law are allowed Registers of Deeds for recording conveyances of real estate.

SECT. 4. *And be it further enacted,* That all attachments on real estate, or on any interest of, in, or concerning the same, may be discharged and rendered null and void by the person or persons for whose use such attachment was made, by his or their causing a discharge or return of the same to be entered on record, in the book in which such attachment was recorded as aforesaid.

“ House of Representatives,

“ Monday, May 30, Read for the first time.

“ Wednesday, June 1, assigned for the second reading.”