

SENATE NO. 795



AN ACT RELATIVE TO A SECOND ATTACHMENT OF RECOVERY BY A DEFENDANT

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

1 SECTION 1. Chapter 246 of the General Laws is hereby amended by striking out section 40,
2 appearing in the 2004 Official Edition, and inserting in place thereof the following section: -

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