

**HOUSE . . . . . No. 1603**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Eugene L. O'Flaherty**

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to remove an inconsistency in certain laws concerning attachment of goods, effects and credits in the hands of a person adjudged a trustee.

PETITION OF:

NAME:

Eugene L. O'Flaherty

DISTRICT/ADDRESS:

2nd Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1644 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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AN ACT TO REMOVE AN INCONSISTENCY IN CERTAIN LAWS CONCERNING  
ATTACHMENT OF GOODS, EFFECTS AND CREDITS IN THE HANDS OF A PERSON  
ADJUDGED A TRUSTEE.

*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 out section 40, appearing  
2 in the 2006 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  
5 on the trustee execution, they shall be liable to another attachment, whether made before or after  
6 said date; or if there has been no such second attachment, they may be recovered by the  
7 defendant.