

MAINE STATE LEGISLATURE

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Sixty-Seventh Legislature.

HOUSE.

No. 230.

STATE OF MAINE.

**IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-FIVE**

AN ACT to amend section 51 of chapter 70, of the Revised Statutes as amended by chapter 312 of the Public Laws of 1893, relating to Insolvency.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section fifty-one of chapter seventy of the Revised Statutes as amended by chapter three hundred and twelve of the Public Laws of eighteen hundred and ninety-three is hereby amended by striking out in the twelfth and thirteenth lines the words "and, or who has been forced into insolvency by a petition of his creditors," and by adding to said section after the word "estate" the following words, "provided such claim or demand was not created by the fraud or embezzlement of said debtor, or by his defalcation as a public officer, or while acting in a fidu-

11 ciary character,' so that said section as amended, shall
12 read as follows :

'Section 51. No creditor shall commence or maintain
14 any suit against the insolvent debtor, upon a claim or
15 demand which he has proved against such debtor in insol-
16 vency, until after a discharge has been refused such
17 debtor, provided, that such debtor proceeds with reason-
18 able diligence to obtain such discharge ; and no debtor
19 against whom a warrant in insolvency has been issued is
20 liable to arrest on mesne process or execution, where the
21 claim was provable in insolvency during the pendency of
22 the proceedings, unless the same is unreasonably pro-
23 tracted by the fault or neglect of such debtor. No debtor
24 who has received a discharge in insolvency proceedings,
25 shall ever be arrested on mesne process or any judgment
26 recovered on any claim or demand which was proved or
27 might have been proved against his estate, provided such
28 claim or demand was not created by the fraud or embez-
29 zlement of said debtor, or by his defalcation as a public
30 officer, or while acting in any fiduciary character.'



STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 28, 1895. }

Reported by Mr. HILL of Portland, from Committee on Legal Affairs,
and ordered printed under joint rules.

W. S. COTTON, *Clerk.*