

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 407

H. P. 930 House of Representatives, Feb. 6, 1931.
Referred to Committee on Judiciary and 500 copies ordered
printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. McCart of Eastport.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTY-ONE

AN ACT Relating to Disclosure Proceedings

Be it enacted by the People of the State of Maine, as follows:

Section twenty-three of chapter one hundred and twenty-four of the revised statutes is hereby amended, by striking out the words "or his attorney" in the fourth and in the sixth lines thereof and inserting the word 'or' after the word "debtor" in the fourth line, and inserting the words 'or the' after the word "debtor" in the sixth line, so that said section as amended shall read as follows:

'Sect. 23. Subpoena to issue to debtor to appear and disclose; errors in application or subpoena may be amended. R. S. chap. 115, sec. 23, 1917 c. 267. Such magistrate shall thereupon issue under his hand and seal a subpoena to the debtor commanding him to appear before any such disinterested magistrate within said county in the town in which the debtor or the petitioner resides, and in case there is no such magistrate in the town where the debtor, or the petitioner resides then in the shire town of said county, at a time and place therein named to make full and true disclosure, on oath, of all his business and property affairs. And a judge of any municipal court may hold disclosure court upon a subpoena returnable as aforesaid in any town in which the regular terms of the court of which he is judge are held. The application

shall be annexed to the subpoena. Any town in which the regular sessions of the superior court are held, shall be considered a shire town for the purpose of this section. No application or subpoena shall be deemed incorrect for want of form only, or for circumstantial errors or mistakes, when the person and the case can be rightly understood. Such errors and mistakes may be amended on application of either party.