

MAINE STATE LEGISLATURE

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FORTY-NINTH LEGISLATURE.

SENATE.

No. 6.

STATE OF MAINE.

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

AN ACT to amend section one, chapter one hundred and fifty-seven of the public laws of eighteen hundred and sixty-eight.

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

SECTION 1. Section one of chapter one hundred and 2 fifty-seven of the public laws of eighteen hundred and 3 sixty-eight, is hereby amended by adding after the 4 word "bankruptcy," in the fifth line, the words, "or 5 has been adjudicated a bankrupt on petition of his 6 creditors," so that the section shall read as follows :

7 *Section 1.* In all actions pending in any court, or 8 before any justice of the peace, for recovery of any 9 debt provable in bankruptcy, or of a character such as 10 would be discharged by bankrupt's certificate, when

11 it shall appear that the defendant or any one of the
12 defendants, has filed his petition in bankruptcy, or has
13 been adjudicated a bankrupt on petition of his credit-
14 ors, either before or after the commencement of the
15 suit, the action shall be continued until the proceed-
16 ings in bankruptcy are closed, unless the plaintiff shall
17 thereupon strike such bankrupt's name from the suit,
18 which he may do without costs; *provided however,*
19 such defendant shall use due diligence in the prosecu-
20 tion of his bankrupt proceedings, and if he fail to do
21 so after one term's notice in writing from plaintiff, the
22 court may, in their discretion, refuse a further delay.

SECT. 2. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, January 19, 1870.

Reported from the Committee on the Judiciary, by Mr. REED
of Cumberland.

SAMUEL W. LANE, *Secretary.*