

# MAINE STATE LEGISLATURE

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# FIFTY-THIRD LEGISLATURE.

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SENATE.

No. 24.

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## STATE OF MAINE.

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

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AN ACT amendatory of and in addition to chapter one hundred and thirteen of the revised statutes, relating to poor debtors.

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

SECTION 1. Section twenty-six of chapter one hundred and thirteen of the revised statutes is hereby amended, so as to read as follows :

4 *Sect. 26.* A debtor who has given such bond, may  
5 apply in writing within the time limited in said  
6 bond, to a justice of the peace in the county where he  
7 was arrested, claiming the benefit of the oath author-  
8 ized in section thirty ; or if he is committed, or has  
9 delivered himself into the custody of the jailor, he  
10 may apply to a justice of the same county, or, at his

11 request, the jailor shall apply in his behalf, and in  
 12 and in either case the justice shall appoint a time and  
 13 place for his examination and issue his citation to the  
 14 creditor, under his hand and seal, which citation may  
 15 be in substance, as follows :

16                                   STATE OF MAINE.

17       ——— s. s. To ———. You are hereby notified  
 18 of the desire of the debtor as expressed in the fore-  
 19 going application, and that I have appointed ———,  
 20 the ——— day of ———, in the year of our Lord,  
 21 ———, at —— of the clock in the ——noon, and  
 22 the ——— of ——— in ———, in said county, as  
 23 the time and place for said examination. And you  
 24 are hereby notified to be present, and select one of the  
 25 justices, and be heard in said examination.

26       Given under my hand and seal, at ———, in said  
 27 county, the ——— day of ———, A. D. ———.

28                                   ——— ———, Justice of the Peace.

SECT. 2. Chapter one hundred and twenty-two of  
 2 the public laws of eighteen hundred and seventy-three,  
 3 is hereby repealed.

SECT. 3. In no case of disclosure, by virtue of any  
 2 of the provisions of chapter one hundred and thirteen  
 3 of the revised statutes, or acts amendatory thereof,  
 4 shall a creditor be cited or notified to attend for the  
 5 purpose of hearing a disclosure upon any island in

6 this state, unless, at the time of said disclosure, the  
7 debtor, so disclosing, resides upon such island, and  
8 was arrested in the county where the same is situat-  
9 ed. And all disclosures made in vioiation of this sec-  
10 tion shall be void.

SECT. 4. All acts and parts of acts, inconsistent  
2 with the provisions of this act, are hereby repealed.

SECT. 5. This act shall take effect when approved.

STATE OF MAINE.

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IN SENATE, February 9, 1874.

Reported from the Committee on Judiciary, by Mr. WEBB,  
of Kennebec, and laid over to be printed under the Joint Rule.

SAMUEL W. LANE, *Secretary.*