

# MAINE STATE LEGISLATURE

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# Fifty-Seventh Legislature.

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HOUSE.

No. 177.

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## STATE OF MAINE.

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

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AN ACT to amend sections twenty-one and twenty-eight of chapter one hundred and thirteen of the revised statutes, relating to relief of 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-one of chapter one hundred and thirteen of the revised statutes, as amended by chapter four of the public laws of eighteen hundred and seventy-five is hereby amended, by striking out the words "by giving notice of the time and place appointed therefor to," and inserting in lieu thereof the words "by serving the citation provided for in said section twenty-six, and amendments thereto upon," so that said section as amended shall read as follows :

11 *Sect.* 21. When so arrested, he may, without  
12 giving bond, disclose as provided in section twenty-  
13 six and the following sections, by serving the citation  
14 provided for in said section twenty-six and amend-  
15 ments thereto upon the creditor or his attorney, at  
16 least twenty-four hours for every twenty miles travel  
17 from his residence thereto. The debtor shall pay the  
18 officer for serving the notice and keeping him from the  
19 arrest to the disclosure before he can be discharged.

SECT. 2. Section twenty-eight of chapter one hun-  
2 dred and thirteen of the revised statutes is hereby  
3 amended, by adding at the end of said section the  
4 following words: "No citation shall be deemed in-  
5 correct for want of form only, or for circumstantial  
6 errors or mistakes, when the person and case can be  
7 rightly understood; such errors and defects may be  
8 amended on motion of either party," so that said  
9 section as amended shall read as follows:

10 *Sect.* 28. The examination shall be before two  
11 disinterested justices of the peace and quorum for the  
12 county, who may adjourn as provided in section five,  
13 and shall examine the citation and return, and if found  
14 correct, examine the debtor on oath, concerning his  
15 estate and effects, their disposal, and his ability to pay  
16 the debt for which he is committed. No citation shall

17 be deemed incorrect for want of form only, or for cir-  
18 cumstantial errors or mistakes, when the person and  
19 case can be rightly understood ; such errors and de-  
20 fects may be amended on motion of either party.

STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES, }  
February 15, 1878. }

Reported from the Committee on the Judiciary by Mr. MOULTON of Scarborough, and ordered printed under the Joint Rule.

ORAMANDAL SMITH, *Clerk.*