

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 577

S. P. 438

In Senate, Feb. 13, 1931.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Aldrich of Sagadahoc.

STATE OF MAINE

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

AN ACT with Reference to Disclosure Petitions.

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

Section 23 of chapter 124 of the revised statutes amended. Section 23 of chapter 124 of the revised statutes is hereby amended by striking out the words "the petitioner or his attorney resides, and in case there is no such magistrate in the town where the debtor, petitioner or his attorney resides" in the fourth and following lines thereof, and inserting in place thereof the words 'resides, and in case there is no such magistrate in such town, then in any adjoining town in which there is such magistrate, and in case there is no such magistrate in such town,' so that said section, as amended, will read as follows:

'Sec. 23. Subpoena to issue to debtor to appear and disclose; errors in application or subpoena may be amended. 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 resides, and in case there is no such magistrate in such town, then in any adjoining town in which there is such magistrate, and in case there is no such magistrate in such town, 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.'