

MAINE STATE LEGISLATURE

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Sec. 3. Jurisdiction. The suspension of these remedies shall, however, be operative only in cases where the debtor shall by bill in equity in the supreme judicial or the superior court either brought by him or wherein he is named defendant prove to the satisfaction of the court a condition of actual distress, or prospective distress due to the possibility of an operating loss in the immediate future, and that said distress is caused substantially by war or conditions arising out of the prosecution of the war.

When said fact is established, the court shall enter an appropriate decree and thereupon and forthwith the operation of the laws hereinbefore enumerated, as applicable to said debtor, shall be suspended and such suspension shall continue for the duration of said unlimited national emergency as declared by the President and during the next 2 calendar years thereafter, or until further order of the court, and any and all proceedings commenced prior to said decree by a creditor or municipality which has invoked any of the remedies or proceedings herein made the subject of the suspension shall be made null and void by decree of said court. Any justice of the supreme judicial court or the superior court sitting in term time or vacation shall have full equity jurisdiction in the matter, including the issuance of such orders as are found needful for protection of the rights of the parties in interest, or as are usual in equity proceedings. The word "debtor" in this act shall include individuals, partnerships, associations, corporations and fiduciaries. When the provisions of this act are invoked, any statute of limitations applicable to the matters embraced in such proceedings shall be tolled during the period of the suspension of the remedy set forth in this act.

Sec. 4. Constitutionality. If any portion of this act is held unconstitutional or invalid by a court of final jurisdiction such holdings shall not affect the validity of the act as a whole or any other portion thereof.