

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

NINETEENTH LEGISLATURE,

JANUARY SESSION, 1839.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA:
SMITH & ROBINSON, PRINTERS TO THE STATE.

1839.

Chapter 412.

AN ACT additional to, and explanatory of, the several Acts now in force for the relief of Poor Debtors.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That when any debtor, arrested on a warrant of distress or execution, or committed to prison on the same, shall have given, or shall hereafter give a bond as is allowed by the eighth section of the act entitled "An act for the relief of Poor Debtors," passed March twenty-fourth, eighteen hundred and thirty-five, he may make a written application to a Justice of the Peace of the County where he resides, who shall thereupon make out a notification under his hand and seal of such Debtor's desire to take the privilege and benefit of the Poor Debtor's oath, and the time and place of the intended caption, which, being served in the manner prescribed by the ninth section of the act above mentioned, shall be deemed a valid notice to the creditor.

Justices of the Peace authorized to issue notice to creditors, upon application of debtors arrested or committed on warrant of distress or execution, &c. for purpose of taking poor debtor's oath.
Notification how served.

SEC. 2. *Be it further enacted,* That whenever any debtor shall make a disclosure under any of the several acts to which this is additional, and shall in such disclosure, disclose any bank bills, notes, accounts, bonds or other chose in action, or any property, not exempt by law from attachment, which cannot be come at to be attached, then and in such case, if the debtor and creditor cannot agree upon the amount of such property which shall go to the creditor in discharge of the debt, the debtor shall choose one man, the creditor another and the magistrates a third, all disinterested, who shall, under oath, appraise off sufficient property thus disclosed to pay the debt, and the debtor shall therefrom be discharged—And in case the creditor shall not appear at the disclosure of said debtor, or appearing shall refuse or neglect to choose an appraiser, the Justices shall appoint a man for him, to appraise such property as is disclosed as aforesaid.

Debtors disclosing certain kinds of property, and when parties disagree as to the amount to be applied in discharge of the debt, such parties and the Justices to agree upon appraisers, &c.

In case of absence or refusal of creditor to choose an appraiser, Justice to appoint.