

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

OF THE

FIFTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1874.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 28, 1840, and March, 16, 1842.

AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1874.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1874.

CHAP. 196.**Chapter 196.**

An act to amend section nine of chapter eighty-three of the revised statutes, concerning writs issued by trial justices and police and municipal courts.

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

Sec. 9, ch. 83, R. S., amendment of.

Section nine of chapter eighty-three of the revised statutes, is hereby amended by adding thereto the following words: 'and in like manner, and with like effect, original writs, issued by police or municipal courts, may be made returnable before any other police or municipal court, in the same or an adjoining county,' so that said section as amended shall read as follows :

Certain original writs, where returnable.

'SECT. 9. Original writs, issued by any trial justice, may be made returnable before any other trial justice of the same county, and shall have the same effect as if signed by the latter justice ; and in like manner, and with like effect, original writs, issued by any police or municipal court, may be made returnable before any other police or municipal court in the same or an adjoining county.'

Approved February 28, 1874.

Chapter 197.

An act additional to chapter eighty-two of the revised statutes, relating to proceedings in court.

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

Writs in civil actions, amendment of.

In all civil actions the writ may be amended by inserting additional plaintiffs, or by striking out one or more plaintiffs when there are two or more, and the court may impose reasonable terms.

Approved February 28, 1874.

Chapter 198.

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

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

Sec. 26, ch. 113, R. S., amendment of.

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

Poor debtors, examination of.

'SECT. 26. A debtor who has given such bond may apply in writing within the time limited in his bond to a justice of the peace

in the county where he was arrested, claiming the benefit of the oath authorized in section thirty; or if he is committed or has delivered himself into the custody of the jailor, he may apply to a justice of the same county, or, at his request, the jailor shall apply in his behalf, and in either case the justice shall appoint a time and place for his examination and issue a citation to the creditor, under his hand and seal, which citation may be in substance as follows:

STATE OF MAINE.

— ss. To ——. You are hereby notified of the desire of the debtor as expressed in the foregoing application, and that I have appointed —, the — day of —, in the year of our Lord —, at — of the clock in the — noon, and the — of — in —, in said county, as the time and place for said examination. And you are hereby notified to be present and select one of the justices, and be heard in said examination.

Form of citation to creditor.

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

— Justice of the Peace.

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

Ch. 122, laws 1873, repealed.

SECT. 3. In no case of disclosure by virtue of any of the provisions of chapter one hundred and thirteen of the revised statutes or acts amendatory thereof, shall a creditor be cited or notified to attend for the purpose of hearing a disclosure upon any island in this state, unless at the time of said disclosure the debtor so disclosing resides upon such island, and was arrested in the county where the same is situated. And all disclosures made in violation of this section shall be void.

Certain disclosures void.

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

Approved February 28, 1874.

Chapter 199.

An act relating to the unfinished records of deeds, made by the late register of deeds for Cumberland county.

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

SECT. 1. The record of any instrument in Cumberland county incomplete by reason of failure of the late register of deeds for said county to certify on the book where such record is entered, that such record is a true copy of the original instrument, shall

Unfinished records in Cumberland county made valid.