

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE.

1878.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 18, 1840, and March 16, 1842.

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AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1878.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.  
1878.

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**CHAP. 58.** upon shares, he shall be punished by a fine not exceeding one thousand dollars nor less than twenty dollars, or by imprisonment not more than one year.  
Penalty.

Approved February 21, 1878.

### Chapter 58.

An act to amend section eight of chapter one hundred and twenty of the Revised Statutes, relating to Larceny.

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

Sec. 8 of ch. 120,  
R. S., amended.

Agent appropriating money to his own use, deemed guilty of larceny.

Said section is hereby amended by adding at the end thereof the following : 'and any insurance agent, or agent of any corporation doing business in this state, who shall appropriate to his own use any money, or substitute for money, received by him as such agent, or shall refuse or neglect to pay over and deliver the same to the party entitled to receive it, for the space of thirty days after written demand upon him therefor, shall be deemed guilty of larceny, and punished accordingly.'

Approved February 21, 1878.

### Chapter 59.

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.

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

Sec. 21, ch. 113,  
R. S., amended.

SECT. 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 :

Debtor may disclose without giving bond.—when and how.

'SECT. 21. When so arrested, he may, without giving bond, disclose as provided in section twenty-six and the following sections, by serving the citation provided for in

said section twenty-six and amendments thereto upon the creditor or his attorney, at least twenty-four hours for every twenty miles travel from his residence thereto. The debtor shall pay the officer for serving the notice and keeping him from the arrest to the disclosure, before he can be discharged.'

CHAP. 60.

Officers fees to be first paid.

SECT. 2. Section twenty-eight of chapter one hundred and thirteen of the revised statutes, is hereby amended, by adding at the end of said section the following words: 'No citation shall be deemed incorrect for want of form only, or for circumstantial errors or mistakes, when the person and case can be rightly understood. Such errors and defects may be amended on motion of either party,' so that said section, as amended, shall read as follows:

Sec. 28, ch. 113, R. S., amended.

'SECT. 28. The examination shall be before two disinterested justices of the peace and quorum for the county, who may adjourn as provided in section five, and shall examine the citation and return, and if found correct, examine the debtor on oath, concerning his estate and effects, their disposal, and his ability to pay the debt for which he is committed. No citation shall be deemed incorrect for want of form only, or for circumstantial errors or mistakes, when the person and case can be rightly understood. Such errors and defects may be amended on motion of either party.'

Examinations to be before two justices.

Remedy for errors and defects in citation.

Approved February 21, 1878.

### Chapter 60.

An act to provide for the office of Crier in the various courts of the State.

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

The duties of crier in the various courts of this state shall hereafter be performed by the sheriff, or any deputy in attendance upon the court, or by the clerk, so as to relieve the counties of the expense of employing persons especially for that purpose.

Duties of crier in courts to be performed by sheriff or clerk.

Approved February 21, 1878.