

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SIXTIETH LEGISLATURE

OF THE
STATE OF MAINE.

1881.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1881.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1881.

Chapter 14.

CHAP. 14.

An act to amend section fifteen of chapter seventy-four of the Public Laws of one thousand eight hundred and seventy-eight, as amended by chapter one hundred and fifty four of the Public Laws of one thousand eight hundred and seventy-nine, relating to the Insolvent Laws of Maine.

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

Section fifteen of chapter seventy-four of the public laws of one thousand eight hundred and seventy-eight, as amended by chapter one hundred and fifty-four of the public laws of one thousand eight hundred and seventy-nine, is hereby amended, by striking out the word "two" and inserting the word 'one,' in the first line, and by inserting after the word "resides," in the third line thereof, the words, 'or from which he has absconded or removed beyond the limits of the state, within six months before the filing of said petition, leaving property or estate in said county,' so that said section as amended shall read as follows :

Sec. 15 of ch. 74, public laws 1878, as amended by ch. 154, public laws 1879, amended.

'SECT. 15. When one or more creditors of a debtor shall make application under oath, by petition by them signed, to the judge of the county in which the debtor resides, or from which he has absconded or removed beyond the limits of the state, within six months before the filing of said petition, leaving property or estate in said county, setting forth that they believe their aggregate debts provable under this act, amount to more than one-fourth part of the debts provable against such debtor, and that they further believe and have reason to believe, that said debtor is insolvent, and that it is for the best interests of all the creditors that the assets of such debtor should be divided as provided by this act, and it shall be satisfactorily made to appear to the judge that the allegations contained in such application are true, and that such debtor is insolvent, it shall be the duty of the judge to issue his warrant, under his hand, to the sheriff of the county or either of his deputies, directing him forthwith to attach the real and personal estate of the debtor not exempt by law from attachment and seizure on execution, wherever the same may be situated, within this state, and forbidding the payment to or by such debtor of any debt, demand or claim whatsoever, and the sale, transfer, mortgage, pledge, conveyance, or removal by such debtor, his agents or attorneys,

When creditors make application setting forth certain allegations, the judge may issue warrant for attachment of property, etc.

CHAP. 15. of any of his estate, property, rights or credits, and the making of any contracts for the sale or purchase thereof, or relating thereto, until such warrant shall be revoked by said judge. Upon the issuing of such warrant, the register shall cause an attested copy of such application and warrant to be served upon the debtor, or such other notice as the judge may order to be given, who thereupon may appear, and a hearing shall be had upon such application by the judge, who may thereupon revoke such warrant, unless such allegations are proved. After the service of the copy of the application and warrant upon such debtor, or the giving of such other notice as the judge may order, provided by this section, and until the revocation of such warrant, any payment of any debt, demand or claim, to or by said debtor, and any sale, transfer, mortgage, pledge, conveyance, or contract, for the sale or purchase of any estate, property, rights or credits of such debtor, by such debtor, or his agent or attorney, shall be null and void. If upon hearing or default, the judge shall find the allegations of such application to be true and proved, and that said debtor is insolvent, he shall issue his additional warrant to the said sheriff or either of his deputies, and cause such other proceedings to be had as are provided in section fourteen of this act.

Register to cause copy of warrant to be served upon debtor and a hearing shall be had.

Payment of debts, conveyance of property, or contract of such debtor, before revocation of warrant, void.

Additional warrant to issue, if allegations are proved.

Approved February 12, 1881.

Chapter 15.

An act to amend section forty-eight of chapter eighteen of the Revised Statutes, relating to highway taxes.

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

Section forty-eight of chapter eighteen of the revised statutes is hereby amended by adding the following words: 'and the treasurer shall hold the same, subject to the order of the selectmen, to be applied by them for repairs of roads and bridges,' so that said section as amended shall read as follows:

'SECT. 48. Each surveyor, at the expiration of his term, is to render to the assessors a list of such persons as have not worked out or paid their taxes. The assessors are to

Sec. 48 of ch. 18 of R. S., amended.

Surveyors to return list of delinquent taxpayers to assessors.