

# MAINE STATE LEGISLATURE

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# SEVENTY-SECOND LEGISLATURE

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SENATE.

No. 248

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND FIVE.

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AN ACT to amend section 35 of chapter 65 of the Revised  
Statutes, relating to costs in contested cases.

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

Section 1. Section thirty-five of chapter sixty-five of the  
2 Revised Statutes is hereby amended by inserting after the  
3 word "costs" the words 'and counsel fees,' so that said sec-  
4 tion as amended shall read as follows:

'Section 35. In all contested cases in the original or appel-  
6 late court of probate, costs may be allowed to either party,  
7 to be paid by the other, or costs and counsel fees may be  
8 allowed to either or both parties, to be paid out of the estate  
9 in controversy, as justice requires; and executions may be  
10 issued therefor as in courts of common law.'

Sect. 2. This act shall take effect when approved.





## STATE OF MAINE.

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IN SENATE, March 18, 1905.

Reported March 13, by Mr. POTTER from Committee on the Judiciary, and laid on table on motion by Mr. STAPLES of Knox. Taken from table March 18, and ordered printed under joint rules.

KENDALL M. DUNBAR, *Secretary.*