

MAINE STATE LEGISLATURE

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E I G H T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 593

S. P. 327

In Senate, February 16, 1937.

Referred to Committee on Judiciary and 500 copies ordered printed.
Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Marden of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-SEVEN

AN ACT Relating to Support of Wife and Minor Children.

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 74, § 9, amended. Section 9 of chapter 74 of the revised statutes, as amended, is hereby further amended to read as follows:

‘Sec. 74. Husband and father compelled to contribute to support of wife or minor children. Whenever a man, having a wife, a minor child, or children, residing in this state, and being of sufficient ability, or being able to labor and provide for them, wilfully and without reasonable cause, refuses or neglects to provide suitable maintenance for them, the superior court, the probate courts, and any municipal court, in term time or vacation, in the county where the wife or such minor child or children reside, on petition of the wife for herself and for such child or children, or of such child or children by their guardian, after such notice to the husband or father as it may order, and hearing may order him to contribute to the support of his wife and such minor child or children or either of them such sums payable weekly, monthly, or quarterly, as are deemed reasonable and just, and may enforce obedience by appropriate decrees. **Pending petition hereunder the court may order the husband to pay to the court**

for the wife sufficient money for the prosecution thereof upon default of which order execution may issue as in actions of tort. Execution may also issue for said sums, when payable for costs **and when the husband is committed to jail on execution the county having jurisdiction of the process shall bear the expense of his support.** Any party aggrieved by any order or decree authorized by this section and made by a probate court or municipal court may appeal from said order or decree in the same manner as provided for appeals from such court in other causes, and appeal may be taken from the superior court to the law court. Provided, however, that pending the determination of such appeal, the order or decree appealed from shall remain in force and obedience thereto may be enforced as if no appeal had been taken. Said appeal shall be in order for hearing at the first term of the court, appealed to, held after said appeal is taken, and no continuance thereof shall be had without the consent of the appellant or ~~w~~without legal cause shown therefor to the justice of said court to which appeal is had.'