

MAINE STATE LEGISLATURE

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NINETY-FOURTH LEGISLATURE

Legislative Document

No. 611

H. P. 1159.

House of Representatives, February 10, 1949.

Referred to Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Chapman of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Counsel Fees in Bastardy Proceedings.

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

Sec. 1. R. S., c. 153, § 28, amended. Section 28 of chapter 153 of the revised statutes is hereby amended by adding at the end thereof a new paragraph, to read as follows:

'At any time after the taking of the accusation and examination on oath of the complainant as prescribed in section 23, the court may order the accused to pay to the clerk of the court, or to counsel for the complainant, sufficient money for the prosecution of the complaint, including such reasonable counsel fees as the court may allow, upon default of which order execution may issue as in actions of tort.'

Sec. 2. R. S., c. 153, § 29, amended. Section 29 of chapter 153 of the revised statutes is hereby amended to read as follows:

'Sec. 29. Proceedings after verdict. If, on such issue, the jury finds the respondent not guilty, he shall be discharged; but if they find him guilty, or the facts in the declaration filed are admitted by default or on demurrer, he shall be adjudged the father of said child; stand charged with its maintenance, with the assistance of the mother, as the court orders; and shall be ordered to pay the complainant her costs of suit, **including such**

reasonable counsel fees as the court may allow, and for the expense of her delivery and of her nursing, medicine, and medical attendance during the period of her sickness and convalescence, and of the support of such child to the date of rendition of judgment; and shall give a bond, with sufficient sureties approved by the court, or by the clerk of said court in term time, or in vacation, to the complainant to perform said order, and a bond, with sufficient sureties so approved, to the town liable for the maintenance of such child, and be committed until he gives them. The latter bond shall be deposited with the clerk of the court for the use of such town. If the respondent does not comply with that part of the order relative to payment of expenses and costs of suit, execution may issue therefor as in actions of tort.'