
By Mr. Ward, a petition of Joseph D. Ward for legislation to provide for proceedings in forma pauperis in the courts of the Commonwealth. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Nine.

AN ACT PROVIDING FOR PROCEEDINGS IN FORMA PAUPERIS IN THE COURTS OF THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The General Laws are hereby amended by inserting after
2 chapter 273A the following chapter: —

3 CHAPTER 273B

4 COURT PROCEEDING IN THE CASE
5 OF POOR PERSONS.

6 *Section 1.* Any person may commence, prosecute, or defend
7 any action or proceeding, or appeal therein, in any court of
8 the commonwealth, without being required to pay fees and
9 costs or security therefor upon making affidavit in said court
10 that he is unable to pay such fees and costs or to give se-
11 curity therefor. Such affidavit shall set forth the amount and
12 sources of the affiant's income and shall list his property with
13 its value. The affidavit shall state the nature of the action,
14 defense or appeal, and shall contain sufficient facts so that the
15 merit of the affiant's contentions can be ascertained; and
16 whether any other person is beneficially interested in any re-
17 covery sought and, if so, whether every such person is unable
18 to pay such fees and costs or security. An executor, ad-
19 ministrator or other representative may file such affidavit
20 on behalf of a deceased, infant or incompetent poor person.

21 If court action has already been brought against such poor
22 person, notice of his said affidavit shall be given to all parties,
23 and to the county official responsible for the disbursement of
24 funds for the administration of the courts.

25 *Section 2.* If the judge of said court is satisfied that such
26 affiant is not financially able to proceed in such action, defense
27 or appeal and that there is merit to his contentions concern-
28 ing such action, defense or appeal, the judge shall issue an or-
29 der that the affiant be allowed to litigate as a poor person,
30 and shall assign an attorney to represent such person. The
31 court in which such action is tried shall furnish such poor
32 person or his counsel, upon written request, a transcript of
33 the testimony, without payment of any fee therefor, and shall
34 issue to the official stenographer of such court a certificate
35 stating the amount of the fee to which said stenographer is
36 entitled for his services in preparing such transcript. Said
37 fee shall be paid to the stenographer by the county treasurer
38 upon presentation of such certificate.

39 *Section 3.* On an appeal a poor person shall not be required
40 to furnish an undertaking or security for costs, and the court
41 may direct that different and inexpensive methods, such as
42 the use of typewritten briefs and appendices, be employed in
43 the preparation and transmission of all documents which the
44 court must have before it.

45 *Section 4.* An account of all costs incurred on behalf of a
46 poor person under this chapter shall be kept by the clerk of
47 the court or other public officer to whom such costs would
48 have been payable, and by the county to the extent that it
49 has expended any money for or on behalf of such poor
50 person.

51 A poor person shall not be liable for the payment of any
52 costs or fees unless there is a recovery by judgment or by
53 settlement in his favor, in which case the court may direct
54 him to pay from the amount received as a result of such
55 judgment or settlement, all or part of the costs and fees, a
56 reasonable sum for the services of his attorney and any sum
57 expended by the county on behalf of such poor person. If
58 judgment is entered for such poor person, costs shall be taxed
59 in his favor as provided by laws, and when collected, shall be
60 applied to pay costs which otherwise would have been required
61 and which have not been paid.

62 *Section 5.* Any recovery by judgment or by settlement in

63 favor of such poor person shall be paid to the clerk of the
 64 court in which the order permitting the person to proceed as
 65 a poor person was entered, and shall await distribution pur-
 66 suant to the order of said court.

SENATE

No. 668

The Constitution of Missouri

Article IV, Section 1, Paragraph 1

AN ACT TO AMEND THE CONSTITUTION OF MISSOURI BY ADDING TO SECTION 1, PARAGRAPH 1, ARTICLE IV, THE FOLLOWING: "AND SHALL AWAIT DISTRIBUTION PURSUANT TO THE ORDER OF SAID COURT."

Enacted by the Senate of Missouri, this 15th day of February, 1969.

Approved by the Governor of Missouri, this 15th day of February, 1969.

The Senate of the State of Missouri, this 15th day of February, 1969.

Approved by the Governor of Missouri, this 15th day of February, 1969.

Approved by the Governor of Missouri, this 15th day of February, 1969.

65 fathoms of water were found clear to the bottom of the
66 fathoms in which the water penetrating the bottom was
67 found to be clear and the water in the bottom was
68 found to be clear and the water in the bottom was

69 found to be clear and the water in the bottom was
70 found to be clear and the water in the bottom was
71 found to be clear and the water in the bottom was
72 found to be clear and the water in the bottom was

73 found to be clear and the water in the bottom was
74 found to be clear and the water in the bottom was
75 found to be clear and the water in the bottom was
76 found to be clear and the water in the bottom was

77 found to be clear and the water in the bottom was
78 found to be clear and the water in the bottom was
79 found to be clear and the water in the bottom was
80 found to be clear and the water in the bottom was

81 found to be clear and the water in the bottom was
82 found to be clear and the water in the bottom was
83 found to be clear and the water in the bottom was
84 found to be clear and the water in the bottom was

85 found to be clear and the water in the bottom was
86 found to be clear and the water in the bottom was
87 found to be clear and the water in the bottom was
88 found to be clear and the water in the bottom was

89 found to be clear and the water in the bottom was
90 found to be clear and the water in the bottom was
91 found to be clear and the water in the bottom was
92 found to be clear and the water in the bottom was

93 found to be clear and the water in the bottom was
94 found to be clear and the water in the bottom was
95 found to be clear and the water in the bottom was
96 found to be clear and the water in the bottom was

97 found to be clear and the water in the bottom was
98 found to be clear and the water in the bottom was
99 found to be clear and the water in the bottom was
100 found to be clear and the water in the bottom was

101 found to be clear and the water in the bottom was
102 found to be clear and the water in the bottom was
103 found to be clear and the water in the bottom was
104 found to be clear and the water in the bottom was