

MAINE STATE LEGISLATURE

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FOURTH REVISION.

THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED AUGUST 29, 1883, AND TAKING EFFECT JANUARY 1, 1884.

BY THE AUTHORITY OF THE LEGISLATURE.



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CHAPTER 116.

THE REGULATION OF FEES AND COSTS.

FEES AND COSTS REGULATED.

SEC. 1. Fees chargeable, and costs taxable, in civil and criminal suits.

FEES OF TRIAL JUSTICES AND JUSTICES OF THE PEACE, AND OF JUDGES OF MUNICIPAL AND POLICE COURTS.

SEC. 2. Fees of trial justices and justices of the peace.

3. Fees of judges of municipal and police courts.

FEES OF THE CLERKS OF THE JUDICIAL COURTS.

SEC. 4. Fees of clerks of judicial courts, and court of county commissioners.

FEES OF SHERIFFS AND THEIR DEPUTIES.

SEC. 5. Fees of sheriffs and their deputies.

FEES OF CORONERS.

SEC. 6. Fees of coroners, for similar services.

7. Costs of inquests on dead bodies.

FEES OF CONSTABLES.

SEC. 8. Fees of constables.

FEES OF JAILERS.

SEC. 9. Fees for commitment and discharge of prisoners. Compensation for support of prisoners, how to be fixed by the county commissioners.

10. Interested party may appeal from the commissioners to the supreme court.

11. Copies of papers filed before commissioners must be filed by appellant in the appellate court.

JURORS AND WITNESSES.

SEC. 12. Jurors' fees.

13. Fees of witnesses.

ALLOWANCE TO PARTIES AND ATTORNEYS IN CIVIL CAUSES.

SEC. 14. Costs taxed for parties and attorneys in civil causes.

COSTS TAXABLE FOR THE STATE IN CRIMINAL PROSECUTIONS.

SEC. 15. Costs taxable for the State in criminal prosecutions.

16. Fines and costs shall be paid to the county where the offence is prosecuted, and the expenses shall be paid by such county.

17. Criminal costs and expenses, how to be audited.

18. Clerk of courts shall attest duplicate copies of bills of criminal costs.

19. County treasurer must publish list of each term's bills of criminal costs.

FEES OF THE SECRETARY OF STATE.

SEC. 20. Fees of the secretary of state.

FEES OF REGISTERS OF DEEDS.

SEC. 21. Fees of registers of deeds.

FEES FOR SOLEMNIZATION OF MARRIAGE.

SEC. 22. Fees for solemnization of marriage.

FEES OF TOWN CLERKS.

SEC. 23. Fees of town clerks.

FEES OF INSPECTORS, WEIGHERS, MEASURERS AND SURVEYORS.

SEC. 24. Fees for inspectors, weighers, measurers and surveyors of fish; beef and pork; pot and pearl ashes; lime; lumber; mill logs; firewood and bark; weights and measures, and fire-arms.

CHAP. 116.

GENERAL PROVISIONS.

- SEC. 25. Inspectors may require returns from their deputies, under oath.
 26. What constitutes a written page. Fees for copying and annexing certificates in general cases.
 27. Fees not expressly provided for.
 28. Fee table must be exposed to view in offices.
 29. Fees for entering appeal shall be taxed and paid as other fees.

PENAL PROVISIONS.

- SEC. 30. Written account of items, may be required by party paying penalty.
 31. Penalty for overcharging costs for justice writ, by attorneys or others.

FEES AND COSTS REGULATED.

Fees, and
costs.
R.S., c. 116, § 1.

SEC. 1. The fees for precepts and services, and the costs taxable in civil suits and criminal prosecutions, shall be as provided in this chapter.

FEES OF TRIAL JUSTICES AND JUSTICES OF THE PEACE, AND OF JUDGES OF MUNICIPAL AND POLICE COURTS.

Fees of trial
justices and
justices of
the peace.
R.S., c. 116, § 2.

SEC. 2. For every blank writ of attachment and summons thereon, or original summons, ten cents.

For every subpoena for one or more witnesses, ten cents.

Entry of an action, or filing a complaint in civil causes, including filing of papers, swearing of witnesses, examining, allowing, and taxing the bill of costs, and entering and recording judgment, thirty cents. Each continuance in a civil action, five cents.

Trial of an issue, eighty cents, and when more than one day is used in the trial, two dollars for each day, after the first, actually employed.

Copy of a record or other paper, at the rate of twelve cents a page.

Writ of execution; fifteen cents.

For a recognizance to prosecute an appeal, including principal and surety, twenty cents.

Taking a deposition, affidavit, or disclosure of a trustee, in any cause not pending before himself, twenty cents; for writing the same with the caption, and for the notification to the parties and witnesses, at the rate of twelve cents a page; the justice who takes such affidavit, deposition, or disclosure, shall certify the fees of himself, of the witnesses, or party disclosing, and of the officers serving the notifications.

Taking a deposition in perpetual memory of the thing, the same fees as in taking other depositions.

Administering an oath in all cases, except on a trial or examination before himself, and to qualify town and parish officers, and a certificate thereof, twenty cents, whether administered to one or more persons at the same time.

Taking the acknowledgment of a deed with one or more seals, if it is done at the same time, and certifying the same, seventeen cents.

Granting a warrant of appraisal in any case, and swearing appraisers, thirty-two cents.

Receiving a complaint, and issuing a warrant in criminal cases, fifty cents.

Entering a complaint in a criminal prosecution, swearing witnesses,

rendering and recording judgment, examining, allowing, and taxing the costs, and filing the papers, seventy-five cents.

CHAP.116,
SEC. 2.
R.S.,c.116, § 2.

Recognizing persons charged with crimes for their appearance at the supreme judicial or superior courts, and for certifying and returning the same, with or without sureties, twenty-five cents, to be paid by the person so recognizing.

Mittimus for the commitment of any person on a criminal accusation, twenty-five cents.

In a bastardy process, the fees may be charged as for like services in a criminal prosecution.

Recognizance of debt and recording, forty-two cents.

Drawing a rule for submission to referees, and acknowledging the same, thirty-three cents.

Writ to remove a nuisance, thirty-three cents.

Calling a meeting of a corporation, fifty cents.

For an examination of a debtor under chapter one hundred and thirteen, two dollars for each day employed in such examination; in full payment for all official services and expenses in such examination, exclusive of travel. For travel on official duty, twelve cents a mile one way; but not to be taxed for over ten miles one way, and in no case shall there be constructive travel.

—examination of debtors. 1881, c. 41.
—for travel.
—limit.

In all cases where the attendance of two or more justices is required, each is entitled to the fees prescribed for all services rendered by him personally.

R.S.,c.116, § 2.

SEC. 3. Except when otherwise expressly provided by a fixed salary, the fees of the judge of any municipal or police court, in civil proceedings, shall be the same as provided by law, and criminal proceedings shall be taxed in the same manner and at the same rate as the fees of trial justices, so far as applicable. When such judge receives a stated salary for his services from the treasury of a county, he shall account under oath to the treasurer thereof for all fees accruing to him in said capacity, towards his salary, including ten cents for the blank writ in every action entered before him; and if such fees exceed the amount of his salary for such quarter, the excess shall be by him paid over to such treasurer.

Fees of judge of police or municipal court. 1879, c. 130.
—judges receiving salary, shall account under oath for fees.
—where fees exceed salary.

FEES OF THE CLERKS OF THE JUDICIAL COURTS.

SEC. 4. For services as clerks of the supreme judicial and superior courts:

Clerks of the courts. R.S.,c.116, § 4.

For every blank writ of attachment with a summons, or of scire facias, or an original summons, four cents.

Blank writ of replevin with the seal, signature, and blank bond, eight cents.

Entry of an action, entering up and recording the judgment whether on a verdict, demurrer, nonsuit, or default, sixty cents.

Acknowledging satisfaction of a judgment on the record, eight cents.

Copies, twelve cents a page.

In counties where clerks are not salaried officers, continuing a cause to the next term, five cents.

1881, c. 49. R.S.,c.116, § 4.

CHAP. 116, Entering the surrender of a principal into court by his bail, and making
 SEC. 4. a record thereof, fifteen cents.

R.S., c. 116, § 4. Recording a petition for partition, and any order thereon, at the
 rate of twelve cents a page.

Entry of a rule of court upon the parties submitting a cause to referees, fifteen cents.

Proving a deed in court and certifying the same, twenty cents.

Authenticating the official signature of a magistrate, twenty-five cents.

Original or other writ of execution in personal matters, and filing the same when returned, fifteen cents.

Writ of possession in real actions, twenty-five cents.

Writ of protection or habeas corpus, twenty-five cents.

Subpœna for one witness or more, or with a duces tecum, ten cents.

Each venire facias for jurymen, five cents, to be paid out of the county treasury.

Opening and filing a deposition, five cents.

Entering an indictment, presentment, complaint, or information, including the recording of the judgment of the court thereon, examining and casting the bill of costs, and filing the papers, sixty-five cents.

Criminal warrant, twenty cents.

Examining and casting the grand jurors' accounts, and order thereon, thirty cents.

Making up the record in an equity case, the court may allow a further sum, not exceeding ten cents a page in the whole, to be taxed by the clerk.

Writ of review, seventy-five cents.

Writ of scire facias, forty cents.

Every writ and seal, other than before mentioned, forty cents.

Each recognizance, including principal and sureties, twenty cents.

Recording judgment in every criminal cause, forty cents.

Entering a discharge of a recognizance by proclamation or otherwise, fifteen cents.

—as clerk of
 county com-
 missioners.

For services as clerk of the county commissioners :

For a warrant for a county tax, ten cents.

Warrant to lay out or alter a road, ten cents.

Recording the reports of highways and other matters by order of the commissioners, and copies of all records, or papers, twelve cents a page.

Entry of a petition, fifty cents.

FEES OF SHERIFFS AND THEIR DEPUTIES.

Sheriffs and
 their
 deputies.
 R.S., c. 116, § 5.
 15 Me., 469.

SEC. 5. For the service of an original summons or scire facias, either by reading or copy, or for the service of a capias or attachment with summons on one defendant, fifty cents; if served on more than one defendant, fifty cents more for each.

If the sheriff, or his deputy, by written direction of the plaintiff, his agent, or attorney, makes special service of any writ of attachment by attaching property, he shall receive therefor seventy-five cents, including the summons thereon; and for taking the body on a capias, fifty cents for each defendant on whom such writ is so served.

Where the officer is by law directed to leave a copy, or gives a copy of any precept upon demand, he may charge at the rate of twelve cents a page, which, in the latter case, shall be paid by the party demanding it. CHAP. 116,
SEC. 5.
R.S., c. 116, § 5.

If real estate is attached, the officer may charge twenty-five cents for leaving with the register of deeds an attested copy of his return and other particulars, as required by law, and instead of travel, legal postage; and the usual rate of travel from the residence of such officer to the nearest post office; and he shall pay the register ten cents, and tax the same with his own fees.

For a bail bond and writing the same, including principal and sureties, to be paid by the person admitted to bail, and taxed for him, if he prevails, twenty cents.

For the service of subpoena, notice to an adverse party, or other process in which there is no command to make return, twenty-five cents; if by copy, at the rate of twelve cents a page for the copy; and travel as in other cases; and service on an adverse party, by giving him an attested copy of the notice in hand, is valid.

For levying and collecting executions in personal actions, for every dollar of the first hundred dollars, three cents; for every dollar above one hundred, and not exceeding two hundred dollars, two cents; and for every dollar above two hundred dollars, one cent. 17 Me., 433.

For serving a writ of possession, one dollar and ten cents; and if on more than one piece of land, seventy-five cents for each piece of land after the first; and the fees for levying and collecting the costs shall be the same as above provided for executions in personal actions.

For serving an execution upon a judgment of court for partition of real estate, or assignment of dower, one dollar a day and four cents a mile from the officer's place of abode to the place of service. For service of a petition to the legislature, thirty cents, and twelve cents for each page of copy, with usual travel.

For causing appraisers to be sworn, and making return of levy on real estate, fifty cents.

For each appraiser of real estate, for extending execution, or assigning dower, one dollar a day, and travel at the rate of four cents a mile going out and returning home, to be paid by the officer and charged in his return.

For advertising, in a newspaper, a right in equity of redeeming mortgaged real estate, to be sold on execution, such sum as he pays the printer therefor; for writing and posting notices of the sale of such equity in the town where the land lies, and in two adjoining towns, one dollar; and for making out a deed and return of the sale of such equity, one dollar.

When the estate or interest of any person, held by a possession or improvement, is seized and sold on execution, or the franchise or other property of a corporation, or the property of an individual, is sold on execution by a process similar thereto, and advertising in like manner, the officer is entitled to the same as in the sale of an equity of redemption.

CHAP. 116, SEC. 5. The fees of the register of deeds for recording a levy upon real estate, or the deed of the officer for the sale of real estate on execution, shall be taxed by the officer in his return; and every officer, making a levy on real estate by appraisal, shall cause the execution and his return thereon to be recorded by the register of deeds for the district where the land lies, within three months after such levy.

R.S., c. 116, § 5.

For the service of a warrant, the officer is entitled to fifty cents, and fifty cents for service of a mittimus to commit a person to jail or to the house of correction, and usual travel, with reasonable expenses incurred in the conveyance of such prisoner.

For each aid, necessarily employed in criminal cases, including expenses, one dollar a day, and in that proportion for a longer or shorter time, and four cents a mile for travel in going out and returning home.

1872, c. 60.

For the service of a subpoena in criminal cases, fifty cents; unless in special cases, when the court may increase the fees to what it judges reasonable.

R.S., c. 116, § 5.

For attending court, and keeping the prisoner in criminal cases, seventy-five cents for every twelve hours, and in that proportion for a greater or less time.

1875, c. 57.
69 Me., 597.

For travel actually performed for the service of a writ, warrant, execution, or other process, six cents a mile each way, from the officer's residence to the place of the service of the precept, by the usually travelled route, with all reasonable sums actually paid for boat hire, ferriage and for crossing any toll bridge, and postage for returning the process by mail to the court to which it is returnable. Only one travel shall be allowed for any one precept, and no constructive travel; but if the same is served on more than one person, the travel may be computed from the place of service most remote from the place of return, with all further necessary travel in serving such precept.

R.S., c. 116, § 5.

No charge of such officer for service, travel, or expenses paid, shall be allowed, unless the items thereof are expressly stated, and the amount of each; and no fees for constructive travel shall be allowed him for the service of a subpoena, notice to an adverse party, or other process in which there is no command to make return.

For distributing venires for jurors, eight cents each; treasurer's warrants, twenty-five cents each; for proclamations of all kinds, five cents each.

For transmitting to the selectmen of towns precepts from the governor for calling special meetings for the election of representatives to congress from any district, with copies of the lists of persons previously voted for, for each town, fifty cents.

1879, c. 150, § 7.

For each day's attendance by the sheriff on the supreme judicial court, or either of the superior courts, two dollars, to be paid from the county treasury.

R.S., c. 116, § 5.

For every deputy sheriff, when ordered to attend either of said courts, two dollars a day, from the county treasury. The sheriff, at its opening, shall present to the court a list of the officers attending, with a statement of the duties of each; and the court shall determine the number necessary, and disallow charges for others.

For services under chapter one hundred and thirteen, as follows: taking a debtor before a justice or justices for disclosure, travel as in service of a writ, and attendance, twenty-five cents; for a bail or other bond, twenty-five cents; and for recommitment of a prisoner when remanded, twenty-five cents; but no dollarage or commission shall be allowed to the officer for an arrest or commitment upon execution or mesne process, except upon the money actually collected; for arresting a debtor on execution, when he discloses without giving bond, fifty cents, and travel as aforesaid; for keeping him, one dollar a day for himself and each necessary aid; for notifying the creditor and justices, twenty-five cents each, and travel as aforesaid; and no officer is required to arrest a debtor on execution, unless a written direction to do so, signed by the creditor or his attorney, is indorsed thereon, and a reasonable sum for such fees is paid or secured to him, for which he shall account to the creditor as for money collected on execution.

CHAP. 116,
SEC. 5.
R.S., c. 116, § 5.

71 Me., 414.

FEES OF CORONERS.

SEC. 6. Coroners are entitled to the same fees as sheriffs for similar services, except where otherwise expressly provided.

Coroners' fees for similar services.
R.S., c. 116, § 6.

For attending court in every trial where the sheriff is concerned, twenty-five cents, and the same for attending the jury therein.

SEC. 7. The fees for taking inquests on dead bodies are as follows, to be certified in the coroner's return, and paid out of the county treasury:

Costs of inquests on dead bodies.
R.S., c. 116, § 7.
See c. 26, § 38.
69 Me., 597.

To the coroner for granting a warrant and taking an inquest on one body, one dollar; if on more than one at the same time, whose death was caused by the same means, twenty cents for each body after the first, and ten cents a mile for travel from his residence to the place of inquest.

To the jurymen, seventy-five cents each, for each day's attendance, and four cents a mile for travel each way.

To the constable for his travel and attendance, and expenses in summoning a jury, ninety cents a day.

FEES OF CONSTABLES.

SEC. 8. The fees of constables for the service, travel and return of each venire, are one dollar and fifty cents, to be paid out of the county treasury; and for services which may be performed either by a deputy sheriff or a constable, the constable is allowed the same fees as a deputy sheriff, unless otherwise provided.

Constables.
R.S., c. 116, § 8.
20 Me., 481.

FEES OF JAILERS.

SEC. 9. The jailer's fees for the commitment or discharge of a prisoner are twenty cents; and for the entire support of each prisoner of every description committed to his custody, such sum, not exceeding one dollar and seventy-five cents a week, as the county commissioners judge reasonable, when the average number is not less than sixteen persons a week. When such weekly average is less than sixteen, such sum as said commissioners judge reasonable, not exceeding, in any event, two dollars and fifty cents a week; *provided, however*, that if the average is not less

Jailer's fees, for commitment and discharge.
1881, c. 64, § 1.
66 Me., 124.

—county commissioners shall fix jailer's weekly compensa-

CHAP. 116. than eight, such sum shall not exceed two dollars and forty cents; if not less than ten, the sum shall not exceed two dollars and twenty cents; and if such weekly average of prisoners is not less than twelve, such sum shall not exceed two dollars a week. Averages shall be made on each account of time exhibited by the jailer. In jails containing work-shops, jailers shall receive for every prisoner laboring in said shops, twenty-five cents a week, in addition to the sum above provided.

SEC. 10. Any person or party interested in such adjudication of the county commissioners, may appeal to the supreme judicial court, if application for such appeal is made and filed with said commissioners within ten days after said adjudication. Such appeal shall be entered at the next term of said court begun in the same county after the expiration of said ten days; or, if said county is a party or interested, at the next term thereof begun in any adjoining county designated in said application.

SEC. 11. The appellant shall file in the appellate court certified copies of all papers in the case before the county commissioners, and of the records, together with a declaration of his claim, to which the other party may reply, and the issue shall be formed, and the case tried and disposed of as other cases at common law.

JURORS AND WITNESSES.

SEC. 12. Grand and traverse jurors, attending the supreme judicial or superior courts, and jurors attending on any other occasion prescribed by law, shall each be allowed two dollars a day for their attendance, and six cents a mile for their travel out and home, to be paid out of the county treasury.

SEC. 13. Witnesses in the supreme judicial or superior courts shall receive one dollar and fifty cents, and in the probate court, or before the county commissioners, one dollar for each day's attendance and six cents for each mile's travel going out and returning home; and before a justice of the peace and of the quorum, a trial justice, a judge of a municipal or police court, referees, auditors, or commissioners specially appointed to take testimony, fifty cents a day for attendance, and for travel, the same as at the courts aforesaid.

ALLOWANCE TO PARTIES AND ATTORNEYS IN CIVIL CAUSES.

SEC. 14. To parties recovering costs in any court or before a trial justice, thirty-three cents for each day's attendance, and the same for every ten miles' travel. In taxing costs in the supreme judicial or superior courts, attendance shall be allowed until the action is disposed of, unless the court otherwise directs; but no more than ten days' attendance shall be allowed at any one term, for either party.

When actions are defaulted at the first term, the plaintiff shall be allowed for attendance until the default is entered, not exceeding ten days. At any subsequent term, if the defendant is defaulted after three days, no attendance shall be allowed the plaintiff after the day when the default happens, and not for more than six days in all, unless the action

tion for support of prisoners.

—on what scale of average.

1883, c. 211.

Interested parties may appeal from the adjudication of the county commissioners, to the supreme court.

1881, c. 64, § 2.

Copies of papers filed before the commissioners shall be filed by appellant in appellate court.

1881, c. 64, § 3.

Fees of jurors.
R. S., c. 116, § 11.
56 Me., 307.
69 Me., 597.

Fees of witnesses.
R. S., c. 116, § 13.
See c. 26, § 38.

Costs to be taxed for parties, and attorneys.
R. S., c. 116, § 14.
54 Me., 398.
55 Me., 598.
56 Me., 306.

—costs, in actions defaulted at the first term.
1872, c. 51.
R. S., c. 116, § 14.

is entered on the trial docket; and then, not exceeding ten days in each term.

Costs for travel shall be taxed for the prevailing party in civil suits, according to the distance of said party or his attorney who resides nearest to the place of trial, unless said prevailing party or his attorney who resides farthest from said place of trial, actually travels the greater distance for the special purpose of attending court in such cause, in which case costs for travel shall be taxed for said last named distance, and when the action is in the name of an indorsee, and the plaintiff is the prevailing party, such costs for travel shall be taxed according to the distance of the attorney, payee or indorsee, who is nearest to the place of trial, unless the attorney, payee or indorsee, residing the greater distance from said place of trial, actually travels such greater distance for the special purpose of attending court in said cause. But no costs for travel shall be allowed for more than ten miles' distance from any justice, municipal or police court, nor for more than forty miles' distance from any other court, unless the plaintiff prevailing actually travels a greater distance, or the adverse party, if he recovers costs, by himself, his agent or attorney, in fact travels a greater distance for the special purpose of attending court in such cause.

For a power of attorney, fifty cents; and for the plaintiff's declaration, fifty cents in the supreme judicial or superior courts; but no fee for a power shall be taxed before any municipal or police court or trial justice.

For an issue in law or fact, there shall be allowed for an attorney's fee, two dollars and fifty cents in the supreme judicial or superior courts. In cases of forcible entry and detainer, parties shall be allowed the same costs as in ordinary civil actions.

COSTS TAXABLE FOR THE STATE IN CRIMINAL PROSECUTIONS.

SEC. 15. For the attorney acting for the State, in all cases in the supreme judicial or superior courts, one dollar and twenty-five cents, unless there is a trial by jury, or an issue in law at the law court, in which case there shall be an additional charge of one dollar.

For the indictment in the supreme judicial or superior court, one dollar and twenty-five cents.

For attendance, thirty-three cents a day, not to extend beyond the second week of any one term; but no fees for travel shall be allowed in any case in which the State is a party.

No attendance shall be taxed in cases of defaulted recognizances, other than is taxed in the prosecutions in which they are taken, until the return of a writ of scire facias issued thereon.

In indictments against towns for neglecting to make or repair a way, not tried by the jury, the fees taxed for the State are limited to three dollars; and the costs shall not be taxed until the action is finally disposed of.

No fees shall be allowed to complainants before the grand jury against towns for neglecting to make or repair roads; nor to any other witnesses in such cases, unless summoned by the county attorney or grand jury.

CHAP. 116,
SEC. 14.

—costs for travel, in civil suits, how taxed. 1874, c. 200.

—no cost allowed for travel, beyond a certain distance.

R. S., c. 116,
§ 14.

Costs taxable for the State in criminal prosecutions. R. S., c. 116, § 15.

See c. 115, § 2.

CHAP. 116.

Fines and costs payable to, and criminal expenses paid by, each county.
1858, c. 41, § 2.
See 1872, c. 50.
Costs and expenses; how to be audited.
1858, c. 41, §§ 2, 3.
See 1872, c. 50.
Clerk of courts shall attest duplicate copies of criminal bills of costs.
1858, c. 41, § 4.
See 1872, c. 50.

SEC. 16. All fines, forfeitures, and costs, inuring to the State, shall be paid into the treasury of the county in which the offence is prosecuted, for the use of such county, and all the costs and expenses attending the administration of criminal justice shall be paid by the county in which the prosecution is made.

SEC. 17. The established forms and mode of proceedings in criminal prosecutions shall not be changed, and the costs and expenses thereof shall be examined and audited like other county expenses, but the supreme judicial or superior courts shall continue to allow such bills of costs.

SEC. 18. The clerk of the courts in each county shall attest duplicate copies of all bills of costs allowed by said courts, and certificates of all fines and forfeitures imposed and accruing to the county, before the rising thereof or as soon thereafter as may be, and deliver one of said copies and certificates to the county treasurer and retain one for the use of the county commissioners.

County treasurer shall publish list of each term's bills of criminal costs.
1858, c. 41, § 5.
See 1872, c. 50.

SEC. 19. Each county treasurer shall, at the close of each criminal term of the supreme judicial or superior court in his county, and of each term of the court of county commissioners, publish in some paper printed in said county three weeks successively, a list containing the aggregate amount of cost allowed in each case, and specifying the court or magistrate that allowed the same and before whom the case originated.

FEES OF THE SECRETARY OF STATE.

Secretary of state.
R. S., c. 116, § 16.

SEC. 20. For a certificate under the seal of the State, one dollar; and for all copies, at the rate of twelve cents a page, if such certificate or copies are for the benefit of particular persons.

FEES OF REGISTERS OF DEEDS.

Register of deeds.
R. S., c. 116, § 17.
—for recording levy.
1879, c. 129.
—copies.
—alphabet and indexes.
—discharge of mortgage.
R. S., c. 116, § 17.
See c. 113, § 20.

SEC. 21. For recording a deed or mortgage, fifty cents.

Recording the assignment of a mortgage, twenty-five cents.

Recording a levy, one dollar and fifty cents, and the same sum for certified copies of these instruments, as for recording them; and said register shall make an alphabet to each volume of records and such indexes as have been heretofore made, without charge to the county.

Entering in the margin a discharge of the mortgage, to be signed by the person discharging it, twelve cents.

Receiving of an officer a copy of return of attachment of real estate, minuting it when it is received, keeping it on file, and entering it in a book kept for the purpose, ten cents.

Receiving, filing, and recording certificates of breeding stallions, fifty cents for each certificate of not more than one page, and twenty-five cents more for each additional page.

Filing and indexing copy of process against a domestic corporation, twenty cents, to be paid by the officer serving it.

Receiving, filing, and recording certificate and description of homestead, fifty cents. The above fees shall be paid when the instrument is offered for record.

—stallions' certificates.
1873, c. 135, § 2.
See c. 7, § 16; c. 38, § 61.
—corporation process.
1880, c. 192, § 2.
See c. 81, § 20.
—homestead exemption.
R. S., c. 116, § 17.
See c. 81, § 64.

FEES FOR SOLEMNIZATION OF MARRIAGES.

CHAP. 116.

SEC. 22. For solemnizing a marriage and certifying the same, every ordained minister or justice of the peace, and every woman appointed for the purpose, shall be entitled to one dollar and twenty-five cents.

Fees for solemnization of marriage. R. S., c. 116, § 18, 1875, c. 56.

FEES OF TOWN CLERKS.

SEC. 23. For entering and recording intentions of marriage, giving certificate of same, and recording marriage on receiving the minister's or justice's certificate thereof, fifty cents, to be paid on issuing the certificate of intention. For recording births and deaths, eight cents each. For a certificate of a birth or death, ten cents. For recording sheep marks, eight cents.

Town clerks. R. S., c. 116, § 19.

See c. 38, § 60.

FEES OF INSPECTORS, WEIGHERS, MEASURERS AND SURVEYORS.

Fish.

SEC. 24. For each certificate of exportation, seventeen cents; for inspecting and branding each tierce, ten cents; each barrel, seven cents; each box of alewives, one cent; exclusive of the labor and expense of coopering; all which shall be paid by the seller.

Inspectors, weighers, measurers, surveyors. R. S., c. 116, § 20, 1871, c. 209.

Beef and Pork.

For each barrel, inspecting and branding, twelve and a half cents; cutting, weighing, and packing, ten cents; and for coopering, ten cents.

For each half barrel, inspecting and branding, eight cents; cutting, weighing, and packing, seven cents; and for coopering, seven cents.

If the amount to be inspected is less than ten barrels, he shall be allowed ten cents a mile for travel to the place where it is inspected.

For beef reserved for smoking, jerking, and other purposes, six cents for every two hundred pounds.

For each certificate required by law, twenty-five cents; for weighing hides and delivering a bill thereof, four cents a hide, to be paid by the purchaser.

The inspectors shall not receive of their deputies more than at the rate of one fifth of the fees by them received for the above specified services.

Pot and Pearl Ashes.

For inspecting and assorting, seven cents a hundred pounds; for coopering and nailing each cask and putting the same in shipping order, eight cents, to be paid by the purchaser.

The inspectors shall not receive from their deputies more than seven and a half per cent. on the fees for inspecting, nor any part of the sum allowed for coopering.

Lime.

For each cask inspected and branded, one half of one mill; and two dollars and fifty cents for each day employed in inspecting; and in that proportion for any part of a day.

1883, c. 209. R. S., c. 116, § 20.

Each inspector shall receive from his deputy one half of one mill for each cask inspected and branded by the deputy.

1883, c. 209.

CHAP. 116,
SEC. 24.
R. S., c. 116,
§ 20.

Lumber.

To surveyors of boards, plank, timber and joist, for viewing only, six cents a thousand feet; for measuring and marking the same, six cents more; and in that proportion for any part of a thousand, to be paid by the buyer.

To surveyors of shingles and clapboards, for surveying and telling, six cents a thousand to be paid by the buyer.

To viewers and cullers of staves and hoops, for barrel staves, twenty-five cents a thousand, and for hogshead and butt staves, thirty-three cents a thousand, whether refuse or merchantable; the merchantable to be paid for by the buyer, the refuse by the seller; and the culler of hoops shall be allowed forty cents a thousand.

Mill Logs.

To surveyors, at the rate of four cents a thousand feet board measure for viewing and inspecting, and two cents a thousand, in addition, for measuring and marking the quantity and quality of the logs, and making out and delivering certificates of the same, to be paid by the buyer.

Firewood and Bark.

Measurers shall receive such fees for their services as the municipal officers of the town appoint, to be paid by the driver, and repaid by the buyer when brought by land, and by the wharfinger when brought by water.

Weights and Measures.

To the sealers of the several towns, for trying and proving by the town standard and sealing each beam, weight, and measure, found to be conformable to the standard, two cents, and if not conformable, four cents, to be paid by the person for whom they are sealed.

Fire-Arms.

Each prover is entitled to receive for each barrel proved, twenty-five cents, in addition to the expense of the powder necessarily used in the trial, whether the barrel stands the proof and is marked, or not.

GENERAL PROVISIONS.

Inspectors
may require
returns from
deputies.
R. S., c. 116,
§ 21.

SEC. 25. The inspectors of the several kinds of merchandise, commissioned by the governor, may, when they see cause, require their deputies to render to them, under oath, a true account of the official services performed by them.

What
constitutes a
written page.
R. S., c. 116,
§ 22.

SEC. 26. Two hundred and twenty-four words constitute a written "page," if the writing contains that number, and where no other rule is provided, public officers shall be allowed for copies which they are required by law to furnish, twelve cents a page; for affixing an official seal to the same, when necessary, twenty-five cents more.

Fees not
provided for.
R. S., c. 116,
§ 23.

SEC. 27. In cases not expressly provided for, the fees of all public officers, for any official service, shall be at the same rate as are prescribed in this chapter for like services.

SEC. 28. Every officer, whose fees are regulated by law, shall constantly keep a printed or legibly written list and description of such fees, exposed to public view in his stated place of business, if he has any.

SEC. 29. No trial justice, or judge or other officer of any municipal or police court, shall demand or receive any fees for entertaining an appeal or taking a recognizance to prosecute it, in a criminal case. The legal fees therefor may be taxed in the bill of costs, and certified and paid like other fees.

CHAP. 116.

Fee tables to be exposed to view.
R. S., c. 116, § 24.
Fees for entering appeal, to be taxed and paid as other fees.
R. S., c. 116, § 25.

PENAL PROVISIONS.

SEC. 30. Every officer or other person upon receiving any fees herein stated, if required by the person paying them, shall make a particular account thereof, in writing; specifying for what they accrued, or he forfeits to such person treble the sum paid, to be recovered in an action of debt.

Account of items, in writing, may be required.
R. S., c. 116, § 26.

SEC. 31. If any attorney at law or other person demands or takes for a writ of attachment with a summons, or for an original summons with the declaration, returnable before a trial justice, judge or recorder of a municipal or police court, more than fifty-seven cents from the defendant; or, in the taxation of costs, such justice, judge, or recorder, taxes or allows more than that sum for the same, he forfeits to the defendant not less than five, nor more than ten dollars, to be recovered in an action of debt.

Penalty, for overcharging cost for justice writ.
R. S., c. 116, § 27.