

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIFTH REVISION.

THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED SEPTEMBER 1, 1903, AND TAKING EFFECT JANUARY 1, 1904.

BY THE AUTHORITY OF THE LEGISLATURE.



AUGUSTA :
KENNEBEC JOURNAL PRINT,
1904.

CHAPTER 117.

THE REGULATION OF FEES AND COSTS.

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 and costs.
R. S., c.116, §1.

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

SEC. 2. The fees of trial justices and justices of the peace shall be as follows:

Fees of trial justices and justices of the peace.
R. S., c.116, §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, in a civil action, eighty cents, and when more than one day is used in the trial, two dollars for each day, after the first, actually employed.

1885, c. 345.
79 Me., 168.

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-five 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, twenty-five cents.

Granting a warrant of appraisal in any case, and swearing appraisers, fifty 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.

Trial of an issue in a criminal case, eighty cents.

1891, c. 83.

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.

CHAP. 117.

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.

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.

—examination of debtors.

—for travel.

—limit.

For an examination of a debtor under chapter one hundred and fourteen, 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.

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.

Fees of judge of police or municipal court. R. S., c. 116, § 3.

—judges receiving salary, shall account under oath for fees.

—where fees exceed salary.

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 THE CLERKS OF THE JUDICIAL COURTS.

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

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

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.

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

Recording a petition for partition, and any order thereon, at the rate of twelve cents a page.

R. S., c. 81, § 76.

Recording petition and proceedings for release of attachment, and making copy and certificate, two dollars.

R. S., c. 81, § 69.

Making certificate of dissolution of attachment by judgment for defendant, twenty-five cents.

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.

CHAP. 117.

1895, c. 157, §10.

Making certificate of approval by judge, of sale of real estate and price, when husband or wife refuses to release interest and right by descent, fifty 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.

In counties where clerks are not salaried officers, opening and filing a deposition, five cents.

Entering an indictment, presentment, complaint, information, or appeal from a trial justice, or municipal or police court, 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.

Recording certificate of discharge of a soldier or seaman from the army or navy of the United States, twenty-five cents, and for a copy of such record, twenty-five cents.

R. S., c. 79, § 7.

For 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.

For each certificate, or copy of judgment or decree, in equity, twenty-five cents, which, together with the fees of the register of deeds for recording such certificate or copy, may be taxed in the costs of suit.

1833, c. 301, § 4.
See § 18; c. 79,
§§ 13, 30;
c. 93, § 39.

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.

R. S., c. 80, § 8.

Recording appointment or discharge of deputy sheriffs, twenty-five cents, to be paid by the sheriff.

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.

—as clerk of
county com-
missioners.

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.

FEEES OF SHERIFFS AND THEIR DEPUTIES.

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.

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

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

CHAP. 117.

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.

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 a 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.

17 Me., 433.

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.

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.

1899, c. 97, § 1.

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, and all sums paid by the officer for internal revenue stamps to be affixed to such deed, 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.

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.

87 Me., 294.

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.

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.

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.

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 traveled 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.

69 Me., 597.

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 venirens for jurors, eight 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.

For each day's attendance by the sheriff on the supreme judicial court, three dollars, to be paid from the county treasury. But this provision does not apply to Androscoggin, Cumberland, Franklin, Kennebec, Oxford or Sagadahoc counties.

1889, c. 309.
1891, c. 62.
See c. 82,
§§ 21-34.

For every deputy sheriff, when ordered to attend the supreme judicial court, or either of the superior 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.

The salary of the officer appointed to attend the superior court for the county of Cumberland shall be six hundred dollars a year.

—salary of
officer to at-
tend superior
court, Cum-
berland Co.
1889, c. 300.

For services under chapter one hundred and fourteen, 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

CHAP. 117.

71 Me., 414.

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.

FEES OF CORONERS.

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

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

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

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

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:

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.

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

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.

FEES OF JAILERS.

Jailer's fees for commitment, etc., and discharge.
R. S., c. 116, § 9.
1885, c. 342.
66 Me., 124.

SEC. 9. The jailer's fees for each and every commitment, removal, return 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 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.

—county commissioners shall fix jailer's weekly compensation for support of prisoners.

(As to Androscoggin and Cumberland counties, see c. 82, § 27.)

Interested parties may appeal from the adjudication of the county commissioners to the supreme court.
R. S., c. 116, § 10.

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.

Copies of papers shall be filed by appellant in appellate court.
R. S., c. 116, § 11.

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.

Fees of jurors.
R. S., c. 116, § 12.
56 Me., 307.
69 Me., 597.

SEC. 13. Witnesses in the supreme judicial or superior courts, and in the probate court shall receive one dollar and fifty cents, 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, 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.

Fees of witnesses.
R. S., c. 116, § 13.
1885, c. 265.

ALLOWANCE TO PARTIES AND ATTORNEYS IN CIVIL CAUSES.

SEC. 14. Costs allowed to parties and attorneys in civil actions shall be as follows: to parties recovering costs before a trial justice, thirty-three cents for each day's attendance, and the same for every ten miles' travel; to parties recovering costs in the supreme judicial or superior courts, thirty-three cents for every ten miles' travel, and three dollars and fifty cents for attendance at each term until the action is disposed of, unless the court otherwise directs.

Costs to be taxed for parties, and attorneys.
R. S., c. 116, § 14.
1901, c. 217.
54 Me., 398.
55 Me., 588.
56 Me., 306.

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 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.

—costs for travel in civil suits, how taxed.

—no costs allowed for travel beyond a certain distance.

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, unless otherwise specially provided in the act establishing such court. 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. A fee of five

CHAP. 117.

dollars shall be taxed in the plaintiff's costs for making up a conditional judgment under section ten of chapter ninety-two.

—costs in action of forcible entry and detainer.

In cases of forcible entry and detainer, parties shall be allowed the same costs as in ordinary civil actions.

—costs to trustee. 1901, c. 216.

A party summoned as trustee and required to attend court and make a disclosure, shall be entitled to costs as follows: If the claim sued for does not exceed twenty dollars, such trustee shall be entitled to travel and attendance and twenty-five cents for the oath; and if the claim sued for exceeds twenty dollars, such trustee shall be entitled to two dollars and fifty cents in addition to the above fee, and when required to attend court for further examination such trustee shall be entitled to travel and attendance.

—limitation of costs before municipal and police courts and trial justices. 1901, c. 232. 1897, c. 226.

In all municipal and police courts the amount of costs allowed in civil actions shall depend upon the amount recovered and not upon the ad damnum in the writ; and the allowance for travel and attendance to parties recovering costs in municipal and police courts, or before any trial justice shall be limited to three terms, except that the court may, for good and sufficient cause, order such allowance for additional terms.

—precept must bear indorsement of an attorney. 1901, c. 223.

No costs shall accrue, be taxed or allowed, for any precept required in legal proceedings, whether in law or equity, unless the same shall issue from and bear the indorsement of an attorney at law.

COSTS TAXABLE FOR THE STATE IN CRIMINAL PROSECUTIONS.

Costs taxable for the state in criminal prosecutions. R. S., c. 116, § 15. See c. 49, § 75.

SEC. 15. Costs taxable for the state in criminal prosecutions shall be as follows: 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.

See c. 116, § 2.

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.

Costs and expenses, how to be audited. R. S., c. 116, § 17. See c. 137, § 1.

SEC. 16. 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.

FEEES OF STATE OFFICERS.

Secretary of state. R. S., c. 116, § 20.

SEC. 17. The secretary of state shall receive:

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.

R. S., c. 39, § 40. 1893, c. 276, § 3.

For filing and recording a certificate of trade-mark, three dollars; for recording assignment of trade-mark rights, one dollar; for the certificate

of the record of a label, trade-mark, device or form of advertisement adopted by any association or union of workmen, two dollars.

For recording notice of a change in the charter or certificate of organization of a corporation, five dollars in advance, which fee shall not be within the provisions of section forty-five of chapter two.

1885, c. 361.

For receiving, filing and recording copy of certificate of organization of a corporation organized under chapter forty-seven, five dollars, in advance.

R. S., c. 49, § 18.

For receiving, filing and recording certificate of officers of a proposed insurance company, and issuing certificate of organization, twenty dollars; for receiving and filing certificate of increase of capital stock of an insurance company, ten dollars.

R. S., c. 49, § 48.

For receiving, filing and recording certificate of officers of a proposed fraternal beneficiary association, and issuing certificate of organization, five dollars.

1901, c. 247, § 3.

For recording contract of conditional sale of railroad equipment, or written declaration of satisfaction of same, five dollars; and for noting declaration of the satisfaction of such contract on the margin of the record, one dollar; which fees shall not be within the provisions of section forty-five of chapter two.

1893, c. 213, § 2.

The treasurer of state shall receive:

Treasurer

For each certificate of securities deposited by a domestic insurance company under section fifty-nine of chapter forty-nine, five dollars; and for each certificate granted by him upon change of such securities, five dollars.

of state.
R. S., c. 49, § 63.
1893, c. 308, § 1.

For services required of him in case of proceedings under section sixty-four of chapter forty-nine, two per cent of the amount received and disbursed by him.

The attorney general shall receive for his services:

Attorney

For approval of certificate of organization of a corporation under chapter forty-seven, five dollars, in advance.

general.
R. S., c. 48, § 18.

For certificate that any corporation has ceased to transact business, and is excused from filing annual returns, five dollars.

R. S., c. 46, § 36.

The bank examiner shall receive for his services:

Bank

For a certificate of authorization of a loan and building association, five dollars, in advance.

examiner.
R. S., c. 47, § 133.

For each license authorizing a foreign banking corporation to conduct its business in this state, and each renewal thereof, twenty dollars.

1891, c. 131, § 1.

For receiving service of process against such corporation, or against a foreign corporation acting as trustee of a mortgage given by a domestic corporation, two dollars, which shall be paid by the plaintiff at the time of such service, and shall be recovered by him as a part of his taxable costs, if he prevails in the suit.

1891, c. 131, § 2.
See c. 47, § 70.

The insurance commissioner shall receive:

Insurance

For each certificate of qualification of a domestic insurance company to act under its charter, and for each annual renewal thereof, twenty dollars, and all traveling expenses; provided that domestic mutual fire insurance companies shall be required to pay only the actual expenses incurred by the commissioner in making the examination required by law.

commissioner.
R. S., c. 49, § 66.
1895, c. 105.
See c. 49, § 83.

For each license issued to a foreign insurance company, or foreign surety company, or credit insurance or title insurance company, or to a foreign fraternal beneficiary association, authorizing such company or association to do business in this state, and for each renewal thereof, twenty dollars.

R. S., c. 49, § 72.
1893, c. 147, § 3.
1885, c. 284, § 14.
1893, c. 161, § 2.
1901, c. 247, § 9.

CHAP. 117.

1895, c. 76, § 1. For each license issued to citizens of this state authorizing them to procure policies of fire insurance in foreign insurance companies not authorized to transact business in this state, twenty dollars, payable annually.

1897, c. 256.

For each license issued to an insurance broker, ten dollars.

1901, c. 184.

For each license issued to a firm or corporation to act as insurance brokers, ten dollars for each person named in the license.

R. S., c. 49, § 73.

1901, c. 140.

1895, c. 95.

1893, c. 147, § 3.

1901, c. 247, § 12.

1885, c. 284, § 14.

1893, c. 161, § 2.

1901, c. 184.

For each license issued to an agent of any insurance company except a domestic mutual fire insurance company, or to an agent of any fraternal beneficiary association, foreign surety company, credit insurance or title insurance company, and each renewal thereof, two dollars.

For each license issued to a firm or corporation to act as insurance agents, and each renewal thereof, two dollars for each person named in the license.

1901, c. 247, § 3.

For approving organization of fraternal beneficiary association, five dollars.

1895, c. 95.

1885, c. 284, § 3.

1893, c. 161, § 2.

1901, c. 247, § 10.

For receiving service of process against any foreign insurance company, foreign surety, credit insurance or title insurance company or foreign fraternal beneficiary association, two dollars, which shall be paid by the plaintiff at the time of such service, and shall be recovered by him as a part of the taxable costs, if he prevails in the suit.

R. S., c. 49, § 85.

For investigating insurance frauds ten dollars a day, and his expenses, together with the fees of witnesses to be taxed as in the supreme judicial court, which shall be paid by the company requesting the investigation, to the commissioner or magistrate appointed by him.

FEES OF REGISTERS OF DEEDS.

Deeds.

R. S., c. 116,

§ 21; c. 15, § 7.

R. S., c. 81, § 69.

1903, c. 88.

SEC. 18. Registers of deeds shall receive for recording a deed or mortgage or description of a family burying-ground, fifty cents. (a)

Recording the assignment or release of a mortgage or certificate of discharge of an attachment, twenty-five cents.

—for recording
levy.
See c. 11, § 18.

Recording a levy, one dollar and fifty cents, and the same sum for certified copies of these instruments, as for recording them.

—discharge of
mortgage or
attachment.
See c. 83, § 71.

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

—attachment.
See c. 114, §§ 7,
10, 30, 62; c. 83,
§§ 60, 61, 69.

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.

1897, c. 331.

See c. 83, § 27.

Receiving of an officer a copy of return of attachment of personal property in an unincorporated place, noting thereon the time when it is received, entering it in a suitable book and keeping it on file, twenty-five cents.

—plans.

1903, c. 65.

Examining and certifying a copy of a plan, fifty cents, in addition to the amount paid for making the record, and a like sum for furnishing copies from the record.

—certain
certificates.

1903, c. 123, § 1.

Recording certificates of limited partnership, fifty cents. Receiving and filing certificate of election of clerk of a corporation, or resignation of such clerk, twenty-five cents. Recording certificates of foreclosure of mortgages, or notices of foreclosure, fifty cents.

—certificates
and copies
in equity.

1893, c. 301, § 4.

See c. 79,

§§ 13, 30;

c. 93, § 39.

Recording a certificate, or copy of a judgment or decree, in equity, twenty-five cents. A suitable book, with an index thereto, shall be provided wherein such certificates and copies shall be recorded.

(a) As to fees for recording deeds of Indian lands, in Penobscot registry, c. 13, § 32; for recording abstracts of wills, c. 65, § 22.

CHAP. 117.

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.

—stallions' certificates. See c. 39, § 41.

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

—corporation process. See c. 83, § 20. —homestead exemption. R. S., c. 81, § 64.

Receiving, filing and recording certificate and description of homestead, fifty cents.

1895, c. 157, § 10.

Recording certificate of approval of sale of real estate and price, when husband or wife refuses to release interest and right by descent, twenty-five cents.

Recording copy of petition for release of attachment, and certificate that bond has been filed, seventy-five cents.

R. S., c. 81, § 76.

In all cases where books with printed forms are not furnished therefor, registers of deeds shall receive for receiving, filing and recording any instrument by law entitled to record, in addition to the fees now fixed by law, the sum of fifteen cents for each hundred words or fraction thereof, in excess of five hundred words.

—additional fees. 1893, c. 225. 1905, c. 123, § 2.

The above fees shall be paid when the instrument is offered for record.

—fees to be paid in advance.

FEEs FOR THE SOLEMNIZATION OF MARRIAGES.

SEC. 19. 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, § 22.

FEEs OF TOWN CLERKS.

SEC. 20. Clerks of cities and towns shall receive for recording mortgages of personal property and notices of foreclosure of the same, and descriptions of family burying-grounds, fifty cents.

Town clerks. 1901, c. 281. R. S., c. 15, § 7.

For recording assignments of wages, certificates of discharge of attachments and notices of finding lost money, goods or stray beasts, twenty-five cents.

—assignments of wages, etc. R. S., c. 111, § 6. 1903, c. 83.

For receiving of an officer a copy of return of attachment of personal property, noting thereon the time when it is received, entering it in a suitable book and keeping it on file, ten cents.

—return of attachments. R. S., c. 81, § 26.

For filing copy of petition for release of attachment and certificate, and making necessary certificate thereof, twenty cents.

—release of attachments. R. S., c. 81, § 76.

For entering and recording intentions of marriage, giving certificate of same, one dollar, to be paid on issuing the certificate of intention.

—intentions of marriage. 1893, c. 209.

For recording sheep marks, ten cents.

—sheep marks. See c. 39, § 40.

For a certificate of a birth, marriage or death, ten cents; for affixing an official seal, when necessary, twenty-five cents more.

The clerk of each city or town shall be paid by such city or town for receiving, recording and returning the facts required by chapter sixty-one to be recorded, the sum of fifteen cents for each birth, marriage or death.

—vital statistics. R. S., c. 116, § 23. 1891, c. 113, § 17. 1895, c. 154, § 6.

For every birth, marriage or death collected and recorded under section thirty-eight of chapter sixty-one, the clerk shall receive from the town twenty-five cents.

For each oath recorded by him the clerk shall receive from the town five cents.

—oaths. R. S., c. 3, § 24.

CHAP. 117.

—additional
fees.
1901, c. 281.

In all cases where books with printed forms are not furnished therefor, the clerk shall receive for receiving and recording any instrument by law entitled to be recorded, in addition to the fees now provided by law, the sum of fifteen cents for each one hundred words or fraction thereof in excess of five hundred words; *provided, however*, if the instrument to be recorded does not exceed in length two hundred and fifty words, the fee for recording the same shall be twenty-five cents.

FEES OF INSPECTORS, WEIGHERS, MEASURERS AND SURVEYORS.

Lime.

R. S., c. 116, § 24.
1903, c. 196, § 6.

SEC. 21. For every ordinary cask of lime, and every two hundred pounds of lime put up in barrels and packages other than ordinary casks the manufacturer shall pay to the inspector of lime casks in his town at the time the return thereof is required to be made, one-half of one mill, and in addition shall pay deputy inspectors who inspect the casks used by such manufacturer; and the inspectors and deputies may recover their fees in an appropriate action.

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.

Fire-wood 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.

1899, c. 58, § 12.

The fees of sealers of weights and measures, for testing and adjusting scales, weights and measures by the town standard, to be paid by the persons for whom the service is rendered, are as follows: for testing railroad track scales of forty thousand pounds capacity and upwards, two dollars; elevator scales of twenty thousand pounds capacity and upwards, one dollar and fifty cents; platform scales of five thousand pounds capacity and upwards, one dollar; dormant scales of less than five thousand pounds

capacity, fifty cents; dormant beef track scales, fifty cents; platform scales of less than five thousand pounds capacity, fifty cents; beam scales of over one thousand pounds capacity, fifty cents; platform scales of less than one thousand pounds capacity, twenty-five cents; platform counter scales, twenty-five cents; counter balance or trip scales, ten cents; spring balance scales, fifteen cents; weights, each, three cents; measures, wet and dry, each three cents; yard sticks, each, five cents; coal baskets, each, ten cents; milk cans, large size, five cents each; milk cans, small size, three cents each; milk bottles, three cents each; for adjusting or repairing any scale, a fair and reasonable compensation; for adjusting weights when either light or heavy, not to exceed ten cents each; for adjusting measures, wet or dry, when either large or small, not to exceed ten cents each; for adjusting yard sticks, not to exceed five cents each; for adjusting any weight or measure not mentioned above, a fair and reasonable compensation.

GENERAL PROVISIONS.

SEC. 22. 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.

Inspectors may require returns from deputies.
R. S., c. 116, § 25.

SEC. 23. 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.

What constitutes a written page.
R. S., c. 116, § 26.

SEC. 24. 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.

Fees not provided for.
R. S., c. 116, § 27.

SEC. 25. 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.

Fees for entering appeal.
R. S., c. 116, § 29.

PENAL PROVISIONS.

SEC. 26. 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, § 30.

SEC. 27. 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 one dollar and 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, but nothing herein contained shall be so construed as to reduce the fees of municipal courts otherwise established by law.

Penalty for overcharging costs.
R. S., c. 116, § 31.
1899, c. 87.