

MAINE STATE LEGISLATURE

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REVISED STATUTES

OF THE

STATE OF MAINE

1954

1957 CUMULATIVE SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 3

**Place in Pocket of Corresponding
Volume of Main Set**

THE MICHE COMPANY
CHARLOTTESVILLE, VIRGINIA
1957

Sec. 3. Process.—A plaintiff or his authorized attorney shall state the substance of his claim to the judge, recorder or clerk of the municipal court having jurisdiction thereof who shall briefly record the notice of the claim and set a date for a hearing. The plaintiff or his authorized attorney shall at the same time pay an entry fee of \$3. (1945, c. 307. 1947, c. 3, § 2; c. 278, § 1. 1949, c. 349, § 124. 1957, c. 198, § 1.)

Effect of amendment.—The 1957 amendment increased the fee in the second sentence from \$2 to \$3.

Sec. 4. Fees.—Of the amount of the entry fee, the judge shall receive \$1. Of the \$2.25 remaining a sufficient sum shall be applied directly on the registered or certified postage mentioned in section 6 and the balance shall be retained by the clerk or recorder, or in towns where there is no clerk or recorder, by the judge in addition to the \$1 fee mentioned above. (1945, c. 307. 1947, c. 3, § 3; c. 278, § 2. 1951, c. 266, § 113. 1957, c. 198, § 2; c. 281, § 1.)

Effect of amendments.—The first 1957 words “or certified” preceding the word amendment increased the amount of the “postage”. The second 1957 amendment, the fee received by the judge from 75¢ to \$1, which did not refer to or give effect to the increased the remaining amount of such other changes of the first amendment, fee from \$1.25 to \$2.25 and inserted the also inserted the words “or certified”.

Sec. 5. Repealed by Public Laws 1957, c. 198, § 3.

Sec. 6. Notice to defendant.—The judge shall cause notice of the claim and the substance thereof to be given to the defendant by sending a written statement to the defendant by postpaid registered or certified mail addressed to the defendant at his last known post-office address, delivery of said notice to be restricted to the defendant in person, and directing the defendant to appear at a time and place of hearing which shall be not less than 14 days from the date said notice is mailed to defendant. A return receipt showing that defendant has received the statement at least 7 days prior to the time set for the hearing shall constitute an essential part of the service. If service is not effected by registered or certified mail, then the court may direct that service on the defendant be completed as in other actions at law at the expense of the plaintiff. (1945, c. 307. 1947, c. 3, § 4; c. 278, § 1. 1949, c. 268; c. 349, § 125. 1957, c. 281, § 2.)

Effect of amendment.—The 1957 amendment inserted the words “or certified” following the word “registered” in both the first and last sentences.

Chapter 112.

Commencement of Civil Actions.

Days on Which No Arrest Made or Process Served.

Sec. 87. Exemption from arrest on certain holidays.—No person shall be arrested in a civil action, on mesne process, or execution or on a warrant for taxes on the day of annual Thanksgiving; the 19th day of April; the 30th day of May; the 4th of July; the first Monday of September; Veterans Day, November 11th; or Christmas. On the day of any military training, inspection, review or election, no officer or soldier required by law to attend the same shall be arrested on any such processes. (R. S. c. 99, § 87. 1957, c. 397, § 52.)

Effect of amendment.—The 1957 amendment made this section into two sentences and substituted “Veterans Day” for “Armistice Day”.