

# 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)

---



---

**ONE - HUNDRETH LEGISLATURE**


---



---

**Legislative Document****No. 204**

H. P. 141

House of Representatives, January 11, 1961.

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

HARVEY R. PEASE, Clerk

Presented by Mr. Thornton of Belfast.

---



---

**STATE OF MAINE**


---

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-ONE

---

**AN ACT Relating to Costs and Fees in Civil Cases in Municipal and Trial  
Justice Courts.**

---

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

**R. S., c. 108, §10, repealed and replaced.** Section 10 of chapter 108 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

**'Sec. 10. Costs and fees; overcharging costs.** The costs and fees taxed and allowed in all the municipal and trial justice courts shall be as follows:

**Costs in civil actions.** Costs to parties and attorneys in civil actions shall be:

**To plaintiffs who prevail:**

**I. Damages \$20 or more.** Where the damages recovered amount to \$20 or more;

Summons	\$3.50
Entry, including issue of first execution	3.00
Order of service	1.00
Officers' fees for serving summons and writ of attachment, as allowed by the court	_____
Attendance, each term but not exceeding 2 terms	3.50
Travel, each term but not exceeding 2 terms	.66
Witness fees, as allowed by the court	_____

**II. Damages less than \$20.** Where the damages recovered amount to less than \$20;

Summons	\$2.00
Entry, including issue of first execution	2.00
Order of service	1.00
Officers' fees for serving summons and writ of attachment, as allowed by the court	<hr/>
Attendance, each term but not exceeding 2 terms	2.00
Travel, each term but not exceeding 2 terms	.66
Witness fees, as allowed by the court	<hr/>
To defendants who prevail:	
Pleadings, answers or motions	2.00
Witness fees, as allowed by the court	<hr/>
Attendance, each term but not exceeding 2 terms	2.00
Travel, each term but not exceeding 2 terms	.66
To trustees who make disclosure at the return term:	
Disclosure	1.00
Attendance, each term but not exceeding 2 terms	2.00
Travel, each term but not exceeding 2 terms	.66
Witness fees, as allowed by the court	<hr/>
For all executions renewed, after first issue, the court shall be paid:	
Non capias executions each	.50
Capias executions each	.75

If the prevailing party actually travels more than 10 miles for the special purpose of attending court in any such action, he may be allowed by the court for every 10 miles so traveled, but not exceeding 40 miles .33

Copies of papers for removal or appeals to the Superior Court, to be paid by the appellant to the municipal court and taxed in his cost by the Superior Court if he finally prevails 2.00

If any attorney at law or other person demands or takes for a writ of attachment with a summons or for an original summons and complaint, returnable before a trial justice, judge, associate judge or recorder of a municipal court, more than the costs and fees allowed in the preceding paragraphs of this section from the defendant; or, in the taxation of costs, such justice, judge, associate judge or recorder taxes or allows more than that sum for the same, he forfeits to the defendant not less than \$5 nor more than \$10, to be recovered in a civil action, but nothing herein contained shall be so construed as to reduce the fees of municipal courts otherwise established by law.

Every attorney shall pay the municipal court an entry fee of \$1 for each civil action entered. There shall be no charge to any attorney by said court for blank writs or summonses, for issuing any execution, any execution renewal, any writ of possession or for taxing costs.

Fees in criminal cases.

Receiving a complaint and issuing a warrant	\$5.00
---	--------

The aforesaid fees when received shall be disposed of as provided by the public laws or by the acts establishing the respective courts.'