

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 128

S. P. 67

In Senate, January 14, 1965

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

EDWIN H. PERT, Secretary

Presented by Senator Violette of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT to Revise the Laws Relating to the District Court.

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

Sec. 1. R. S., T. 4, § 166, repealed. Section 166 of Title 4 of the Revised Statutes is repealed.

Sec. 2. R. S., T. 4, § 174, amended. The 3rd paragraph from the end of section 174 of Title 4 of the Revised Statutes is amended to read as follows:

'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 Judge of a District 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 judge 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 District Courts otherwise established by law.'

Sec. 3. R. S., T. 4, § 175, amended. Section 175 of Title 4 of the Revised Statutes is amended to read as follows:

'Sec. 175. Fees of court. The fees of the District Courts shall be as follows:

For every blank document with or without seal	\$.10
Filing of action and writ of execution	+.00 2.00
Copy of summons, complaint, writ of other process, or abstract thereof, together with copy of order of notice thereon, not less than	1.00

Exemplifying copies, not less than	1.00
Copy of decree of divorce or certificate of same not less than	1.00
Computing damages and taxing costs	1.00
Writ of execution or renewal	
Renewal of writ of execution	1.00
Every other writ and seal	1.00
Subpoena	.10
Removal or appeal of court action to Superior Court including entry fee	7.00'

Sec. 4. R. S., T. 14, § 1904, amended. Section 1904 of Title 14 of the Revised Statutes is amended to read as follows:

'1904. Production of copies and papers. When such appeal is completed, the clerk shall file in the appellate court, ~~the record and the originals of all depositions and other written evidence or documents and a copy of the record and~~ all papers filed in the cause.'

Sec. 5. R. S., T. 14, § 7453, amended. Section 7453 of Title 14 of the Revised Statutes is amended by adding after the first sentence a new sentence to read as follows:

'The action shall be brought only in the division where the defendant resides.'

Sec. 6. R. S., T. 15, § 803, amended. The first sentence of section 803 of Title 15 of the Revised Statutes is amended to read as follows:

'A judge may adjourn an examination before him, from time to time, for not more than ~~10~~ 14 days at a time, and the accused may recognize with sufficient sureties for his appearance before him at the time of adjournment.'

Sec. 7. R. S., T. 19, § 214, amended. Section 214 of Title 19 of the Revised Statutes is amended to read as follows:

'Sec. 214. Custody and support decreed when parents live apart. If the father and mother of a minor child are living apart from each other, the judge of probate or the Superior Court Justice ~~or the District Court~~ in the county where either resides, on complaint of either and after such notice to the other as he may order, may decree which parent shall have the exclusive care and custody of the person of such minor or he may apportion the care and custody of the said minor between the parents, as the good of the child may require. He may order the father of the minor child or children to contribute to the support of such minor child or children such sums payable weekly, monthly or quarterly as are deemed reasonable and just and may enforce obedience by appropriate decrees, execution issuing for said sums when payable and for costs, which decrees shall be in force until further order of the judge or justice. An appeal shall lie from such decree or decrees to the supreme court of probate, where originating in the court of probate, or to the Supreme Judicial Court where originating in the Superior Court, ~~or to the Superior Court where originating in the District Court,~~ but the original decrees shall be in force until reversed.'