

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 755

S. P. 246

In Senate, February 12, 1969

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

JERROLD B. SPEERS, Secretary

Presented by Senator Mills of Franklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Relating to the Small Claims Act.

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

Sec. 1. R. S., T. 14, § 7451, amended. Section 7451 of Title 14 of the Revised Statutes is amended to read as follows:

§ 7451. Definitions

A "small claim" is any right of action cognizable by a court of law not involving the title to real estate in which the debt or damage claimed does not exceed ~~\$100~~ \$150.

Sec. 2. R. S., T. 14, § 7453, amended. Section 7453 of Title 14 of the Revised Statutes, as amended by section 4 of chapter 19 of the public laws of 1965, is further amended to read as follows:

§ 7453. Process

A plaintiff or his authorized attorney shall state the substance of his claim to the clerk of the District Court having jurisdiction thereof who shall briefly record the notice of the claim and set a date for a hearing. The action shall be brought only in the division where the defendant resides. The plaintiff or his authorized attorney shall at the same time pay an entry fee of ~~\$3~~ \$5, from which the clerk is authorized to expend the costs of giving notice to defendant and the remainder to be retained by the court as costs.

Sec. 3. R. S., T. 14, § 7455, amended. The last sentence of section 7455 of Title 14 of the Revised Statutes is amended to read as follows:

The court shall render judgment for the plaintiff when the defendant fails to appear pursuant to said notice, and whenever the plaintiff or his authorized attorney fails to appear on the date set for hearing and the defendant does appear, the complaint shall be dismissed.