

MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

HOUSE

NO. 684

House of Representatives, March 20, 1911.

Reported by Mr. Begue from Committee on Judiciary and ordered printed under joint rules.

C. C. HARVEY, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND ELEVEN.

AN ACT to amend Section 13 of Chapter 117 of the Revised Statutes, as amended by Chapter 66 of the Public Laws of 1907, as amended by Chapter 195 of the Public Laws of 1909, relating to fees of witnesses before referees, auditors, and commissioners specially appointed to take testimony.

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

Section 13 of chapter 117 of the Revised Statutes, as
2 amended by chapter 66 of the Public Laws of 1907, as
3 amended by chapter 195 of the Public Laws of 1909, is here-
4 by amended by striking out the words "One dollar and" in
5 the second line, and by striking out the words "fifty cents" in
6 the second line, and inserting the following: 'two dollars,
7 or before referees, auditors or commissioners specially ap-
8 pointed to take testimony, one dollar and fifty cents'; and

9 by striking out in the twenty-first and twenty-second lines
10 of said section 13, the words, “referees, auditors or com-
11 missioners specially appointed to take testimony,” so that
12 said section as amended shall read as follows:

‘Sect. 13. Witnesses in the supreme judicial or superior
14 courts or in the probate court shall receive two dollars, and
15 before referees, auditors or commissioners specially ap-
16 pointed to take testimony, one dollar and fifty cents, or
17 before the county commissioners one dollar, for each day’s
18 attendance and six cents a mile for each mile’s travel going
19 and returning home; but the court in its discretion, may
20 allow at the trial of any cause, civil or criminal, in said
21 supreme judicial or superior courts, a sum not exceeding
22 twenty-five dollars per day for the attendance of any expert
23 witness or witnesses at said trial, in taxing the costs of the
24 prevailing party; but such party or his attorney of record,
25 shall first file an affidavit, during the term at which such
26 trial is held, and before the cause is settled, stating the name,
27 residence, number of days in attendance and the actual
28 amount paid or to be paid each expert witness, in attendance
29 at such trial. And no more than two dollars per day shall
30 be allowed or taxed by the clerk of courts, in the costs of
31 any suit, for the per diem attendance of a witness, unless
32 the affidavit herein provided is filed, and the per diem is
33 determined and allowed by the presiding justice; and before
34 a justice of the peace, a trial justice, a judge of the munici-
35 pal court, fifty cents a day attendance, and for travel, the
36 same as the courts aforesaid.’