

# MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

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HOUSE

NO. 83

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House of Representatives, Jan. 31, 1919.

Reported by Mr. Fagan from Committee on Legal Affairs  
and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Lausier of Biddeford.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND NINETEEN

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AN ACT to amend section 9 of chapter 118 of the Revised  
Statutes, relating to fees of witnesses.

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

Section 9 of chapter 118 of the Revised Statutes is hereby  
2 amended by inserting after the word "testimony" in the  
3 third line of said section, the following words: 'Or special  
4 commissioners on disputed claims appointed by Probate  
5 courts', so that said section as amended shall read as fol-  
6 lows:

'Sect. 9. Witnesses in the supreme judicial court or su-  
2 perior courts or in the probate courts shall receive two dol-  
3 lars, and before referees, auditors or commissioners special-

4 ly appointed to take testimony or special commissioners on  
5 disputed claims appointed by probate courts, one dollar  
6 and fifty cents, or before the county commissioners one dol-  
7 lar, for each day's attendance and six cents a mile for each  
8 mile's travel going and returning home; but the court in  
9 its discretion, may allow at the trial of any cause, civil or  
10 criminal, in said supreme judicial court or superior courts,  
11 a sum not exceeding twenty-five dollars per day for the  
12 attendance of any expert witness or witnesses at said trial,  
13 in taxing the costs of the prevailing party; but such party  
14 or his attorney of record, shall first file an affidavit, dur-  
15 ing the term at which such trial is held, and before the cause  
16 is settled, stating the name, residence, number of days in  
17 attendance and the actual amount paid or to be paid each  
18 expert witness, in attendance at such trial. And no more  
19 than two dollars per day shall be allowed or taxed by the  
20 clerk of courts, in the costs of any suit, for the per diem  
21 attendance of a witness, unless the affidavit herein provided,  
22 is filed, and the per diem is determined and allowed by the  
23 presiding justice; and before a justice of the peace, a trial  
24 justice, a judge of the municipal court, fifty cents a day at-  
25 tendance, and for travel, the same as the courts aforesaid.