

# MAINE STATE LEGISLATURE

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# EIGHTY-THIRD LEGISLATURE

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House Document

No. 534

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H. P. 891          House of Representatives, March 30, 1927.

Reported by Mr. Hale from Committee on Judiciary and laid on table to be printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Littlefield of Kennebunk.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-SEVEN

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AN ACT Relating to Fees of Witnesses.

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

Section nine of chapter one hundred eighteen of the re-  
2 vised statutes, as amended by chapter three of the public  
3 laws of nineteen hundred nineteen is hereby further amend-  
4 ed by adding in the second line thereof after the word  
5 "courts," the words 'and before a trial justice or a municipi-  
6 pal court' and by striking out in the eighteenth line thereof  
7 after the word "justice" the rest of said section, so that said  
8 section as amended shall read as follows:

'Sect. 9. Witnesses in the supreme judicial court or su-  
2 perior courts or in the probate courts and before a trial jus-  
3 tice or a municipal court, shall receive two dollars, and

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