

# MAINE STATE LEGISLATURE

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E I G H T Y - E I G H T H   L E G I S L A T U R E

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**Legislative Document**

**No. 115**

H. P. 307

House of Representatives, January 27, 1937.

On motion of Mr. Varney of Berwick taken from the table and on further motion same gentleman referred to the Committee on Legal Affairs. Sent up for concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Young of Old Orchard Beach.

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S T A T E   O F   M A I N E

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I N   T H E   Y E A R   O F   O U R   L O R D   N I N E T E E N   H U N D R E D  
T H I R T Y - S E V E N

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**AN ACT Relating to Witness Fees for Officers and Witnesses.**

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

**R. S., c. 126, § 7, amended.** Section 7 of chapter 126 of the revised statutes is hereby amended to read as follows:

**'Sec. 7. Fees of witnesses.** Witnesses in the supreme judicial court or the superior court or in the probate courts and before a trial justice or a municipal court, **except regular or special police officers being paid by a municipality a salary or a per diem amount for police services, (who shall not receive any additional fees for acting as a witness or travel fees, or attendance fees in any criminal case while serving a municipality as a police officer),** shall receive \$2, and before referees, auditors, or commissioners specially appointed to take testimony, or special commissioners on disputed claims appointed by probate courts, \$1.50, or before the county commissioners \$1, for each day's attendance and 6 cents a mile for each mile's travel going and returning home; but the court in its discretion, may allow at the trial of any cause, civil or criminal, in said supreme judicial court or the superior court, a sum not exceeding \$25 per day for

the attendance of any expert witness or witnesses at said trial, in taxing the costs of the prevailing party; but such party or his attorney of record, shall first file an affidavit, during the term at which such trial is held, and before the cause is settled, stating the name, residence, number of days in attendance, and the actual amount paid or to be paid each expert witness, in attendance at such trial. And no more than \$2 per day shall be allowed or taxed by the clerk of courts, in the costs of any suit, for the per diem attendance of a witness, unless the affidavit herein provided, is filed, and the per diem is determined and allowed by the presiding justice.'