

# MAINE STATE LEGISLATURE

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# N I N E T Y - F I R S T      L E G I S L A T U R E

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**Legislative Document**

**No. 232**

S. P. 175

In Senate, February 2, 1943.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Farris of Kennebec.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-THREE

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### **AN ACT Relating to Fees of Expert Witnesses in Homicide Cases.**

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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, 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 6c 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, **except that the expenses of all expert witnesses at the trial of homicide cases shall be paid by the state**; 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.'