

# MAINE STATE LEGISLATURE

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Legislative Document

No. 1026

H. P. 1418

House of Representatives, March 1, 1951.

Referred to the Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Dennison of East Machias by request.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-ONE

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AN ACT Relating to Fees of Sheriffs.

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

**Sec. 1. R. S., c. 79, § 166, sub-§ II and III, amended.** Subsections II and III of section 166 of chapter 79 of the revised statutes are hereby amended to read as follows:

'II. For the service of a *capias* writ or of a writ of attachment with summons on 1 defendant (not a corporation), \$1; if served on more than 1 defendant, ~~\$1~~ \$2 more for each.

III. For service of trustee writ with summonses on trustee, ~~\$1.50~~ \$2, and on principal defendant, ~~\$1~~ \$2.'

**Sec. 2. R. S., c. 79, § 166, sub-§ V, amended.** Subsection V of section 166 of chapter 79 of the revised statutes is hereby amended to read as follows:

'V. For attachment of real estate at registry of deeds, ~~\$2.25~~ \$2.75, which includes copy and fee of 25c to registry which shall be paid by the sheriff or the deputy making the attachment.'

**Sec. 3. R. S., c. 79, § 166, sub-§§ IX, X, XI and XII, amended.** Subsec-

tions IX, X, XI and XII of section 166 of chapter 79 of the revised statutes are hereby amended to read as follows :

**IX.** For service of any order of service issued by or from any court of this state, ~~\$1.50~~ **\$2.50.**

**X.** For service of any process issued by or from the probate courts ~~when served in hand, \$1.50~~ **\$2.50.**

**XI.** For service of libel of divorce inserted in writ of attachment by serving summons and attested copy of writ and libel or for the service of libel for divorce with order of court thereon by attested copy, \$2.50, **plus \$1 per copy.**

**XII.** For serving bills in equity with the subpoena issued thereon, notices of foreclosure of mortgages of real estate, or copies of writs of entry served upon tenants in possession of demanded premises when defendant is not in possession, the sheriff or his deputy shall receive the sum of ~~\$1.50~~ **\$2.50** when such service is made in hand, and \$1.00 when service is made by leaving at the last and usual place of abode, copy of such of the above as are not required by law to be served in hand, in addition to his travel, and for the copy, when required to be attested by him, at the rate hereinbefore provided, and in all cases, the officer making service shall make a return of his service on the bill or subpoena, notice of foreclosure, citation, or other precept, without charge or fee for so doing.'

**Sec. 4. R. S., c. 79, § 166, sub-§ XIV, amended.** Subsection XIV of section 166 of chapter 79 of the revised statutes is hereby amended to read as follows :

**'XIV.** For any service required by law to be served in hand, ~~\$1.50~~ **\$2.50.'**

**Sec. 5. R. S., c. 79, § 166, sub-§ XXIV, amended.** Subsection XXIV of section 166 of chapter 79 of the revised statutes is hereby amended to read as follows :

**'XXIV.** For the service of petition and subpoena for disclosure before a disclosure commissioner or for the service of citation by copy to creditor, as provided by chapter 107, \$2.50, **plus \$1 per copy.'**

**Sec. 6. R. S., c. 79, § 166, sub-§§ XXVI and XXVII, amended.** Subsections XXVI and XXVII of section 166 of chapter 79 of the revised statutes are hereby amended to read as follows :

**'XXVI.** Sheriffs and their deputies shall make a charge of ~~\$1~~ **\$1.50** for making diligent search for persons upon whom they are commanded to

serve civil process, when such party cannot be located at an address given to said sheriff or his deputy by the plaintiff or his attorney when commanding such service to be made.

**XXVII.** The fee for civil arrests shall be ~~\$1~~ \$5 for such arrest and \$2 shall be charged for custody thereunder, including arrests and custody under bastardy proceedings.'