

MAINE STATE LEGISLATURE

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NEW DRAFT, NEW TITLE OF H. P. 168—L. D. 159

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

Legislative Document

No. 1440

H. P. 1185

House of Representatives, April 8, 1955.

Reported by Mr. Cianchette from Committee on Towns and Counties and printed under Joint Rules No. 10.

HARVEY R. PEASE, Clerk.

Presented by Mr. Woodworth of Benton.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Relating to Fees for Jurors and Witnesses.

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

Sec. 1. R. S., c. 116, § 8, amended. Section 8 of chapter 116 of the revised statutes is hereby amended to read as follows:

'Sec. 8. Fees. Grand and traverse jurors attending the Superior Court and jurors attending on any other occasion prescribed by law shall be allowed **\$10 for each day actual** ~~\$8 a day for their~~ attendance, and ~~\$e~~ **10c** a mile for their travel out and home **once each week**, to be paid out of the county treasury.'

Sec. 2. R. S., c. 113, § 128, amended. Section 128 of chapter 113 of the revised statutes is hereby amended to read as follows:

'Sec. 128. 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 ~~\$e~~ **\$5**, and before referees, auditors or commissioners specially appointed to take testimony or special commissioners on disputed claims appointed by probate courts, ~~\$1.50~~ **\$5**, or before the county commissioners ~~\$1~~ **\$5** for each day's attendance and ~~6e~~ **8c** 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~~ **\$50** 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 expense of all expert witnesses for the State in murder cases shall be in such amounts as the presiding Justice shall allow and shall be paid by the State and charged against the appropriation for the Department of the Attorney General; 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. No more than ~~\$2~~ \$5 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.'