

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 316**

H. P. 221

House of Representatives, January 30, 1957.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Whiting of Skowhegan by request.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-SEVEN

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**AN ACT Providing for Certified Mail Under Small Claims Law.**

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

**Sec. 1. R. S., c. 109, § 4, amended.** Section 4 of chapter 109 of the Revised Statutes is hereby amended to read as follows:

**Sec. 4. Fees.** Of the amount of the entry fee, the judge shall receive 75c. Of the \$1.25 remaining a sufficient sum shall be applied directly on the ~~registered~~ **certified** postage mentioned in section 6 and the balance shall be retained by the clerk or recorder, or in towns where there is no clerk or recorder, by the judge in addition to the 75c fee mentioned above.'

**Sec. 2. R. S., c. 109, § 6, amended.** Section 6 of chapter 109 of the Revised Statutes is hereby amended to read as follows:

**Sec. 6. Notice to defendant.** The judge shall cause notice of the claim and the substance thereof to be given to the defendant by sending a written statement to the defendant by postpaid ~~registered~~ **certified** mail addressed to the defendant at his last known post-office address, delivery of said notice to be restricted to the defendant in person, and directing the defendant to appear at a time and place of hearing which shall be not less than 14 days from the date said notice is mailed to defendant. A return receipt showing that defendant has received the statement at least 7 days prior to the time set for the hearing shall constitute an essential part of the service. If service is not effected by ~~registered~~ **certified** mail as aforesaid, then the court may direct that service on the defendant be completed as in other actions at law at the expense of the plaintiff.'