

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 1319

H. P. 912

House of Representatives, February 13, 1963

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

HARVEY R. PEASE, Clerk

Presented by Mr. Cottrell of Portland by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Relating to Jurisdiction of Constables to Serve Process.

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

Sec. 1. R. S., c. 89, § 199, amended. The last sentence of section 199 of chapter 89 of the Revised Statutes is amended to read as follows:

'Except for the purpose of retaking a prisoner whom he has arrested and who has escaped, or for the purpose of taking a person before such a court or trial justice, or for the purpose of executing a mittimus given to him by such a court or trial justice, or for the purpose of pursuing a person who has gone into another town and for whose arrest a constable or a city marshal has a warrant, no ~~constable of the several towns or~~ city marshal of the several cities shall have any authority in criminal matters beyond the limits of the town or city in which he is elected or chosen.'

Sec. 2. R. S., c. 89, § 207, amended. Section 207 of chapter 89 of the Revised Statutes is amended to read as follows:

'**Sec. 207. Constables may serve precepts; bond; acting before giving bond.** A constable may serve, execute and return upon any person ~~in his town or in an adjoining plantation~~ any writ of forcible entry and detainer, or any precept in a personal action when the damage claimed does not exceed \$100, including those in which a town, plantation, parish, religious society or school district of which he is a member is a party or interested, but before he serves any process, he shall give bond to the inhabitants of his town in the sum of \$500, with 2 sureties approved by the municipal officers thereof, who shall indorse their approval on said bond in their own hands, for the faithful performance of the duties of his office as to all processes by him served or executed, ~~and for.~~ **For** every process that he serves before giving such bond, he forfeits not less than \$20 nor more than \$50 to the prosecutor.'