

# MAINE STATE LEGISLATURE

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EIGHTY-SECOND LEGISLATURE

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H. P. No. 48

H. D. No. 12

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House of Representatives, Jan. 21, 1925.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for Concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Burnham of Kittery.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND TWENTY-FIVE

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AN ACT to Authorize Service of Process on a Non-resident.

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

The acceptance by a non-resident of the rights and privileges conferred by the automobile laws of this state, as evidenced by his operating an automobile within the State of Maine, shall be deemed equivalent to an appointment by such non-resident of the Secretary of State or his successor in office, to be his true and lawful attorney, upon whom may be served all lawful processes in any action or proceeding against him, growing out of any accident or collision in which said non-resident may be involved while operating a motor vehicle on any street or way within the State and

11 said acceptance or operation shall be a signification of his  
12 agreement that any such process against him which is served  
13 shall be of the same legal force and validity as if served  
14 on him personally.

Service of such process shall be made by leaving a copy  
2 of the process with a fee of one dollar in the hands of the  
3 Secretary of State or in his office, and such service shall  
4 be sufficient service upon the said non-resident; provided,  
5 that notice of such service and a copy of the process are  
6 forthwith sent by registered mail by the plaintiff to the  
7 defendant; and the defendant's return receipt and the plain-  
8 tiff's affidavit of compliance herewith are appended to the  
9 writ and entered with the declaration. The Court in which  
10 the action is pending may order such continuances as may  
11 be necessary to afford the defendant reasonable opportunity  
12 to defend the action.

The fee of one dollar paid by the plaintiff to the Secretary  
2 of State at the time of service shall be taxed in costs if he  
3 prevails in the suit. The Secretary of State shall keep a  
4 record of all such processes, which shall show the day and  
5 hour of service.