

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

House Document

No. 14

H. P. 34

House of Representatives, Jan. 16, 1929.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Jones of Winthrop.

STATE OF MAINE

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

AN ACT Relative to the Service of Process upon
Non-residents.

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

Any resident of another state who shall operate, or cause
2 to be operated, a motor vehicle upon any way of this state,
3 by such act shall be deemed to have appointed the secretary
4 of state to be his true and lawful agent and attorney, upon
5 whom may be served all lawful processes in any action or
6 proceeding against him, growing out of any accident or
7 collision in which said non-resident may be involved while
8 operating a motor vehicle on such a way, and said opera-

9 tion or causation of operation shall be a signification of his
10 agreement that any such process against him which is so
11 served shall be of the same legal force as if served on him
12 personally without the jurisdiction of this state. Service
13 for such process shall be made by any qualified officer by
14 leaving a copy of such process with a fee of two dollars
15 in the hands of the secretary of state, or in his office and
16 such service shall be sufficient service upon the said non-
17 resident; provided, that notice of such service and a copy
18 of the process, within five days thereafter are sent by reg-
19 istered mail by the plaintiff to said non-resident defendant
20 and the defendant's return receipt and the plaintiff's affi-
21 davit of compliance herewith are attached to the writ and
22 entered therewith in court. The court in which said action
23 is pending may order such continuances as may be neces-
24 sary to afford the non-resident defendant reasonable oppor-
25 tunity to appear and defend the action. The fee of two
26 dollars so paid by the plaintiff to the secretary of state at
27 the time of service shall be taxed in his costs if he prevails
28 in the suit. The secretary of state shall keep a record of
29 all such processes, which shall show the day and hour of
30 service.