

# MAINE STATE LEGISLATURE

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DECEMBER SPECIAL SESSION

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

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**Legislative Document**

**No. 162**

H. P. 95

House of Representatives, Dec. 8, 1933.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Hill of South Portland.

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STATE OF MAINE

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

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**AN ACT to Authorize the Appointment of Process Servers.**

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**Emergency Preamble.** Whereas, the office of sheriff of Cumberland county is now vacant and no civil process involving over \$200 may be served; and

Whereas, the delay in the administration of justice endangers the property rights of many citizens; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety, now, therefore

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

**Appointment of process servers.** While the office of sheriff in any county is vacant, the county attorney in the same county may appoint process servers who shall have the same authority and be charged with the same duties as deputy sheriffs, as provided in section 13 of chapter 94, and each of whom shall be required to give bond to the treasurer of state, the same to be filed in the office of the clerk of the county commissioners in said county in the sum of \$5,000, conditioned for his faithful perform-

ance of the duties of his office and to answer for all neglect and misdoings therein. The aforementioned process servers shall cease to act as deputy sheriffs at such time as deputy sheriffs lawfully appointed are qualified; provided, however, that such particular duty as they had been charged with that had not been fully completed at the aforesaid qualification may be completed within a reasonable time and they shall retain their powers as deputy sheriffs for that particular purpose only. All civil papers in the hands of the said process servers shall be forthwith turned over to the newly qualified deputy sheriffs.

**Emergency Clause.** In view of the emergency created as recited in the preamble this act shall take effect when approved.