

MAINE STATE LEGISLATURE

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

Legislative Document

No. 909

S. P. 333

In Senate, February 25, 1959

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

CHESTER T. WINSLOW, Secretary.

Presented by Senator Noyes of Franklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

**AN ACT Relating to Appointment for Legal Service by
Nonresident Hunting Licensee.**

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

R. S., c. 37, § 73-A, additional. Chapter 37 of the Revised Statutes, as revised, is amended by adding a new section 73-A, to read as follows:

‘Sec. 73-A. **Nonresident licensee; appointment for service.** The acceptance by a person who is a resident of any other state or country of the rights and privileges conferred by section 73, as evidenced by the application for a nonresident hunting license of any class shall, in the event such license applied for is issued, be deemed equivalent to an appointment by him of the commissioner 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 or his executor or administrator, growing out of any accident, damage or harm in which he may be involved or which he may have caused to any property, real or personal, while in the process of, or proceeding to or from hunting, while within the State, and during the period covered by such license, and such acceptance shall be manifestation of his agreement that any such process against him, or his executor or administrator, which is so served shall be of the same legal force and validity as if served on him personally and any process against him which is so served shall, if he is notified of such service as provided, be of the same level force and validity as if served on him personally and the mailing by the commissioner of a copy of such process to him at his last address as appearing on the commissioner’s records shall be sufficient notice to him of such service. Service of such process shall be made by leaving duplicate copies thereof with a fee of \$2

in the hands of the commissioner or at his office, and the commissioner shall forthwith send one of said copies by mail, postage prepaid, addressed to the defendant at his last address as appearing on the commissioner's records. An affidavit of the commissioner, or any person by him authorized to send such copy, that such copy has been so mailed shall be prima facie evidence thereof. One of the duplicates of such process, certified by the commissioner as having been served upon him shall be sufficient evidence of service upon him under said power of attorney.'