

#### **49-801. Statutes; terms, defined.**

Unless the context is shown to intend otherwise, words and phrases in the statutes of Nebraska hereafter enacted are used in the following sense:

(1) Acquire when used in connection with a grant of power or property right to any person shall include the purchase, grant, gift, devise, bequest, and obtaining by eminent domain;

(2) Action shall include any proceeding in any court of this state;

(3) Attorney shall mean attorney at law;

(4) Company shall include any corporation, partnership, limited liability company, joint-stock company, joint venture, or association;

(5) Domestic when applied to corporations shall mean all those created by authority of this state;

(6) Federal shall refer to the United States;

(7) Foreign when applied to corporations shall include all those created by authority other than that of this state;

(8) Grantee shall include every person to whom any estate or interest passes in or by any conveyance;

(9) Grantor shall include every person from or by whom any estate or interest passes in or by any conveyance;

(10) Inhabitant shall be construed to mean a resident in the particular locality in reference to which that word is used;

(11) Land or real estate shall include lands, tenements, and hereditaments and all rights thereto and interest therein other than a chattel interest;

(12) Magistrate shall include judge of the county court and clerk magistrate;

(13) Month shall mean calendar month;

(14) Oath shall include affirmation in all cases in which an affirmation may be substituted for an oath;

(15) Peace officer shall include sheriffs, coroners, jailers, marshals, police officers, state highway patrol officers, members of the National Guard on active

service by direction of the Governor during periods of emergency, and all other persons with similar authority to make arrests;

(16) Person shall include bodies politic and corporate, societies, communities, the public generally, individuals, partnerships, limited liability companies, joint-stock companies, and associations;

(17) Personal estate shall include money, goods, chattels, claims, and evidences of debt;

(18) Process shall mean a summons, subpoena, or notice to appear issued out of a court in the course of judicial proceedings;

(19) Service animal shall have the same meaning as in 28 C.F.R. 36.104, as such regulation existed on January 1, 2008;

(20) State when applied to different states of the United States shall be construed to extend to and include the District of Columbia and the several territories organized by Congress;

(21) Sworn shall include affirmed in all cases in which an affirmation may be substituted for an oath;

(22) The United States shall include territories, outlying possessions, and the District of Columbia;

(23) Violate shall include failure to comply with;

(24) Writ shall signify an order or citation in writing issued in the name of the state out of a court or by a judicial officer; and

(25) Year shall mean calendar year.

**Source:** Laws 1947, c. 182, § 1, p. 601; Laws 1967, c. 175, § 2, p. 490; Laws 1972, LB 1032, § 255; Laws 1975, LB 481, § 30; Laws 1984, LB 13, § 83; Laws 1988, LB 1030, § 43; Laws 1993, LB 121, § 303; Laws 2008, LB806, § 12.

#### **Annotations**

In conjunction with section 25-2221 and subsection (13) of this section, a political subdivision has until the end of the last day of the 6-month period after a claimant has filed a tort claim upon which to make a final disposition of such claim. *Geddes v. York County*, 273 Neb. 271, 729 N.W.2d 661 (2007).

Unless the context is shown to intend otherwise, action includes any proceeding in a court and only final orders therein are bases for appeals. *Grantham v. General Telephone Co.*, 187 Neb. 647, 193 N.W.2d 449 (1972).

Term person in statutes includes a corporation. *Fosler v. Aden*, 175 Neb. 535, 122 N.W.2d 494 (1963).

The word month is legislatively defined as calendar month. *Ruan Transport Corp. v. Peake Inc.*, 163 Neb. 319, 79 N.W.2d 575 (1956).