

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 33

In Senate, Jan. 16, 1913.

Laid on table for printing, on motion by Senator Bailey of Penobscot, pending reference to the Committee on Judiciary in concurrence.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT to change the burden of proof in certain negligence cases in which contributory negligence is a defense.

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

Section 1. In actions to recover damages for negligently causing the death of a person, or for injury to a person who is deceased at the time of trial of such action, the person for whose death or injury the action is brought shall be presumed to have been in the exercise of due care at the time of all acts in any way related to his death or injury, and if contributory negligence be relied upon as a defense it shall be pleaded and proved by the defendant.