

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 584

S. P. 203

In Senate, January 27, 1965

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

EDWIN H. PERT, Secretary

Presented by Senator Stern of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

**AN ACT Relating to Burden of Proof in Certain Negligence Cases and Pleading
Contributory Negligence.**

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

R. S., T. 14, § 156, additional. Title 14 of the Revised Statutes is amended by adding a new section 156 to read as follows :

'Sec. 156. Burden of proof on defendant in certain cases of negligence; contributory negligence pleaded. 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.'