

# MAINE STATE LEGISLATURE

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NEW DRAFT

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**EIGHTY-FIRST LEGISLATURE**

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**HOUSE**

**NO. 336**

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House of Representatives, March 8, 1923.

Reported by Mr. Maher from Committee on Judiciary and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Maher of Augusta.

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**STATE OF MAINE**

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

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AN ACT to Amend Section Fifty-eight of Chapter Eighty-seven of the Revised Statutes, Relative to the Setting Aside of Verdicts by Single Justices.

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

Section fifty-eight of chapter eighty-seven of the revised  
2 statutes is hereby amended by striking out the words "at  
3 the" in the first line thereof and by striking out the words  
4 "same term at which it is rendered" in the second line there-  
5 of and by adding to said section the following paragraph:

'A motion to so set aside a verdict must be filed at the same  
2 term at which such verdict is rendered and shall be heard

3 by the presiding justice either in term time or in vacation  
4 at his discretion.'

So that said section as amended shall read as follows:

'Any justice of the supreme judicial court or of a superior  
2 court may set aside a verdict and grant a new trial in a  
3 civil case tried before him, when in his opinion the evi-  
4 dence demands it. But such verdict shall not be set aside  
5 by a single justice when two verdicts have been rendered  
6 against the applicant.

'A motion to so set aside a verdict must be filed at the  
2 same term at which such verdict is rendered and shall be  
3 heard by the presiding justice either in term time or in  
4 vacation at his discretion; if such action is heard in term  
5 time the presiding justice may render his decision in va-  
6 cation.'