

MAINE STATE LEGISLATURE

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

Legislative Document

No. 799

S. P. 369

In Senate, February 14, 1939.

Referred to Committee on Judiciary and sent down for concurrence.
500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Burns of Aroostook.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

**AN ACT Relating to Motions to Set Aside a Verdict Heard by the
Presiding Justice.**

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

R. S., c. 96, § 60, amended. Section 60 of chapter 96 of the revised statutes is hereby amended to read as follows:

'Sec. 60. Verdict may be set aside by presiding justice. Any justice of the superior court may set aside a verdict and grant a new trial in a civil case tried before him, when in his opinion the evidence demands it. But such verdict shall not be set aside by a single justice when 2 verdicts have been rendered against the applicant.

A motion to so set aside a verdict must be filed at the same term at which such verdict is rendered and shall be heard by the presiding justice either in term time or in vacation at his discretion; if such motion is heard in term time the presiding justice may render his decision in vacation or at a later term.

If such decision is unfavorable to the moving party, no judgment shall be entered in the action until the expiration of 10 days thereafter, during which period such moving party may file another motion to have the ver-

dict set aside as against law or evidence as provided in section 59, without prejudice by reason of the denial of the previous motion by the presiding justice, and all proceedings thereon shall be in accordance with the provisions of said section 59.'