

MAINE STATE LEGISLATURE

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

Legislative Document

No. 341

H. P. 827

House of Representatives, January 30, 1941.

Referred to Committee on Judiciary and 500 copies ordered printed.
Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Poulin of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

**AN ACT in Regard to New Trials on the Ground of Newly Discovered
Evidence.**

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

Sec. 1. R. S., c. 91, additional. Chapter 91 of the revised statutes is hereby amended by adding thereto a new section to be numbered 24-A, and to read as follows :

'Sec. 24-A. Motions for new trial on ground of newly discovered evidence. In criminal cases tried in the superior court, motions for new trials on the ground of newly discovered evidence or for any other cause, except a motion to set aside a verdict as against law or the evidence, may be filed with the clerk at any time after as well as before judgment, and before or after the adjournment of the term at which judgment is rendered regardless of when the judgment was rendered ; but such motions may be filed after judgment only with the consent of a justice of the superior court upon good cause shown.

The clerk shall give immediate written notice of such filing by mail or otherwise to the prosecuting attorney.

The evidence in support thereof, or in rebuttal, or impeachment, shall be taken within such time and in such manner as the court, or any justice

thereof in vacation, shall order, and shall be certified to the law court for determination.'

Sec. 2. Intent. It is the intent of the legislature that this act shall apply to all cases in which judgment has already been rendered as well as those in which judgment shall be rendered hereafter.