

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

Legislative Document

No. 676

S. P. 363

In Senate, February 11, 1941.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Harvey of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

**AN ACT Relating to Technical Errors in Pleading and Procedure Before
the Law Court.**

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

R. S., c. 91, § 9, amended. Section 9 of chapter 91 of the revised statutes is hereby amended by adding at the end thereof the following paragraph:

‘When the issues of law presented in any case before the law court can be clearly understood, they shall be decided, and no case shall be dismissed by the law court for technical errors in pleading alone, or for want of proper procedure, if the record of the case presents the merits of the controversy between the parties. Whenever, in the opinion of the law court, the ends of justice require, it may remand any case to the court below, or to any justice thereof in term time or vacation, for the correction of any errors in pleading or procedure. In remanding said case, the law court may set the time within which said correction shall be made and said case reentered in the law court.’