

MAINE STATE LEGISLATURE

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

Legislative Document

No. 592

H. P. 1127

House of Representatives, February 17, 1943.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Williams of Auburn by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

AN ACT Relating to Setting Aside of Verdict by 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, as amended by chapter 66 of the public laws of 1939, is hereby further 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 verdict 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.'