

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

Legislative Document

No. 854

S. P. 473

In Senate, March 25, 1943.

Reported by Senator McGlauffin of Cumberland from Committee on
Judiciary and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

AN ACT Relating to Conscious Suffering Preceding Death.

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

R. S., c. 101, additional. Chapter 101 of the revised statutes is hereby amended by adding thereto a new section to be numbered section 10-A, to read as follows :

‘Sec. 10-A. **Conscious suffering preceding death.** Whenever death ensues following a period of conscious suffering, as a result of personal injuries due to the wrongful act, neglect or default of any person, the person who caused the personal injuries resulting in such conscious suffering and death, shall, in addition to the action at common law and damages recoverable therein, be liable in damages for such death, brought, commenced and determined and subject to the same limitation as to the amount recoverable for such death in the manner set forth in the preceding section, but in such cases there shall be only one recovery for the same injury.’