

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1011

H. P. 1393 House of Representatives, February 19, 1947
Transmitted by revisor of statutes pursuant to joint order.

Referred to the Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Mills of Farmington by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

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. 100, § 60, amended. Section 60 of chapter 100 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 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. **If the aforesaid motion to the presiding justice is allowed, the party aggrieved thereby may file exceptions to the allowance of said motion in the same manner as provided in section 14 of chapter 94, except that if the motion is granted in term time, said bill of exceptions shall be filed within 30 days after said term at which said motion is allowed has finally adjourned; and if said motion is allowed in vacation, then said bill of exceptions shall be filed within 30 days after the order allowing said motion shall have been filed with the clerk of courts in the county where the action is pending.**