

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1124

H. P. 792

House of Representatives, March 5, 1959

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

HARVEY R. PEASE, Clerk

Presented by Mr. Caron of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT Relating to Appeals from Interlocutory Decrees.

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

R. S., c. 107, § 23, amended. Section 23 of chapter 107 of the Revised Statutes is amended to read as follows :

Sec. 23. Appeal from interlocutory decree. An appeal may be claimed and taken in like manner from any interlocutory decree or order, but such appeal shall not suspend any proceedings under such decree or order, or in the cause, and shall not be taken to the law court until after final decree; **except that if the appeal is claimed and taken from the issuance or denial of any temporary injunction in a case involving or growing out of a labor dispute, such appeal need not await final decree but may be taken to the law court at its next term immediately following the claiming of the appeal.** Any such appeal taken from the issuance or denial of any temporary injunction in a case involving or growing out of a labor dispute shall be heard at the term of the law court to which said appeal is taken if the person claiming the appeal has filed with the clerk of the law court written or printed copies of the case together with copies of the brief required by the law court at least 14 days prior to the first day of said law court term; otherwise said appeal shall be in order for hearing at the next term of the law court immediately following the term for which said appeal has been taken. The law court, after hearing the appeal taken from the issuance or denial of any temporary injunction in a case involving or growing out of a labor dispute, shall affirm, modify or set aside the order issuing or denying a temporary injunction with the greatest possible expedition and shall give said proceedings precedence over all other matters except older matters of the same character. Upon an appeal from a final decree, all previous decrees and orders are open for revision, reversal or approval.'