

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Seventh Legislature

1915

[supplied from page 1 of volume]

CHAP. 100 further amended by inserting after the word "annually" in the second line of said section as amended the words 'in the month of April,' and by inserting after the first sentence of said section as so amended the following sentence: 'Within ten days after each such appointment the clerk of each city or town shall communicate the name of the person so appointed to the State Sealer of Weights and Measures, and for the neglect of this duty shall forfeit ten dollars to be recovered as in the following section,' so that said section as herein amended shall read as follows:

—additional.

Annual appointment of sealers of weights and measures.

—penalty for neglect of duty.

—duty of clerk.

—penalty for failure to perform duty.

—may be sealer for several towns.

'Section I. The municipal officers of each town shall annually in the month of April appoint a sealer of weights and measures, not necessarily a resident therein, removable at pleasure, and may fill vacancies; for each month that said municipal officers neglect this duty they severally shall forfeit ten dollars to be recovered as in the following section. Within ten days after each such appointment the clerk of each city or town shall communicate the name of the person so appointed to the State Sealer of Weights and Measures, and for the neglect of this duty shall forfeit ten dollars to be recovered as in the following section. Such sealer of weights and measures in any town may be sealer for several adjoining towns if such is the pleasure of the municipal officers therein, provided such action receives the approval of the State Sealer of Weights and Measures.'

Approved March 15, 1915.

Chapter 100.

An Act to Amend Section Fifty-five of Chapter Seventy-nine of the Revised Statutes, Relating to the Fixing of the Time within Which Exceptions and Motions for New Trials May Be Filed in Civil and Criminal Cases.

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

Ch. 79, Sec. 55, R. S., amended.

Section fifty-five of chapter seventy-nine of the Revised Statutes is hereby amended by inserting after the words "justice" in the fifth line thereof the following words 'provided, however, that in all cases, such exceptions shall be presented within thirty days after the verdict is rendered or the opinion, direction or judgment is announced, in the case in which such verdict, opinion, direction or judgment is made;' also by inserting after the words "Superior courts" in the thirteenth line thereof the following words 'unless said Superior courts shall otherwise provide by rule;' also by adding at the end of said

section fifty-five the following paragraph: 'And all motions for new trials, as against law or evidence, shall be filed during the term at which verdict is rendered, but in no case later than thirty days after verdict rendered;' so that said section as amended shall read as follows:

CHAP. 100

—motions for new trial.

'Section 55. When the court is held by one justice, a party aggrieved by any of his opinions, directions or judgments, in any civil or criminal proceeding, may, during the term, present written exceptions in a summary manner, signed by himself or counsel, and when found true they shall be allowed and signed by such justice; provided, however, that in all cases, such exceptions shall be presented within thirty days after the verdict is rendered or the opinion, direction or judgment is announced, in the case in which such verdict, opinion, direction or judgment is made, but if he deems them frivolous and intended for delay, he may so certify on motion of the party not excepting; and such exceptions may then be transmitted at once by such justice to the Chief Justice, and shall be argued in writing on both sides within thirty days thereafter, unless the presiding justice, for good cause, enlarges the time, and they shall be considered and decided by the justices of said court as soon as may be, and the decision certified to the clerk of the county where the case is pending. This section applies to exceptions filed in any criminal proceedings in either of the Superior courts, unless said Superior courts shall otherwise provide by rule. If the justice disallows or fails to sign and return the exceptions, or alters any statement therein, and either party is aggrieved, the truth of the exceptions presented may be established before the Supreme Judicial court sitting as a court of law upon petition setting forth the grievance, and thereupon, the truth thereof being established, the exceptions shall be heard and the same proceedings had as if they had been duly signed and brought up to said court with the petition. The Supreme Judicial court shall make and promulgate rules for settling the truth of exceptions alleged and not allowed.

—may present written exceptions in civil and criminal cases.

Procedure, if deemed frivolous.

—this section applies to Superior courts.

—exceptions, how established.

And all motions for new trials, as against law or the evidence, shall be filed during the term, at which verdict is rendered, but in no case later than thirty days after verdict rendered.'

Time of filing motions for new trial.