

CHAPTER 301**JUDGES****§1101. Power of court unaffected by existence or expiration of term**

The existence or expiration of a term of court in no way affects the power of a court to do any act or take any proceeding in any civil action.

§1102. Judge may sit by consent where his town or county is party

(REPEALED)

SECTION HISTORY

PL 1983, c. 253 (RP).

§1103. Petition for assignment of another justice

Within 10 days after the service of a complaint or other application in which equitable relief is sought, the defendant, prior to the filing of his answer, may petition in writing for good cause shown to the Chief Justice of the Superior Court for the assignment of a justice to preside on the matter other than the justice to whom the original complaint or application was presented. Upon the receipt of that petition the Chief Justice of the Superior Court may assign another justice to hear the matter. When the Chief Justice of the Superior Court is presiding on the matter, a petition for the assignment of a justice, other than the Chief Justice of the Superior Court, shall be made to the Chief Justice of the Supreme Judicial Court. Upon the receipt of that petition the Chief Justice of the Supreme Judicial Court may assign another justice to hear the matter. [PL 1983, c. 688, §6 (AMD).]

SECTION HISTORY

PL 1983, c. 688, §6 (AMD).

§1104. Order of view by jury

In any jury trial the presiding justice may order a view by the jury.

§1105. Charge to jury

During a jury trial the presiding justice shall rule and charge the jury, orally or in writing, upon all matters of law arising in the case but shall not, during the trial, including the charge, express an opinion upon issues of fact arising in the case, and such an expression of opinion is sufficient cause for a new trial if either party aggrieved thereby and interested desires it, and the same shall be ordered accordingly by the law court on appeal in a civil or criminal case. [PL 1965, c. 356, §11 (AMD).]

SECTION HISTORY

PL 1965, c. 356, §11 (AMD).

§1106. Disagreement in jury; instructions

When a jury, not having agreed, returns into court stating the fact, the presiding justice may, in the exercise of judicial discretion, explain any questions of law if proposed or restate any particular testimony and send them out again for further consideration. [PL 1991, c. 60 (AMD).]

SECTION HISTORY

PL 1991, c. 60 (AMD).

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