

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE,

1858.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February  
26, 1840, and March 16, 1842.  
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AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.

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1858.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1858.

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**Chapter 39.**

CHAP. 39.

An act additional to chapter three of the revised statutes, respecting unincorporated townships.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

SECT. 1. It shall be the duty of the county commissioners of the several counties in which unincorporated townships may be situated at their next session, or at a meeting called for that purpose, after this act shall take effect, to cause an enumeration of the inhabitants upon such unincorporated places to be made for the purposes specified in the act to which this is additional, *provided, however,* that where such enumeration has already been made, agreeably to the provisions of chapter fifty-six of the public laws of eighteen hundred fifty-seven, said commissioners shall adopt such enumeration instead of the one herein provided for, and shall in April thereafter issue a warrant to organize said unincorporated places as provided for in section thirty-four of the act to which this is additional.

County commissioners to cause enumeration of inhabitants.

Proviso.

—warrant to organize.

SECT. 2. This act shall take effect from and after its approval by the governor.

[Approved March 27, 1858.]

**Chapter 40.**

An act relating to reviews.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

SECT. 1. A petition for review of an action defaulted without any appearance on the part of the defendant, may be granted at the discretion of the court, if presented at any time within three years after an officer having the execution issued thereon, has demanded its payment of the defendant or his legal representative.

When petition may be granted.

SECT. 2. On the hearing of a petition for review, of an action when the parties were witnesses in the original trial, and their testimony was in conflict, newly discovered evidence even of a cumulative character tending to confirm or invalidate the testimony of either on a material point, may be introduced, and in that case and in all hearings on petitions for review, newly discovered evidence of a cumulative character shall have the same effect as other newly discovered evidence.

What evidence may be introduced on hearing.

—effect.