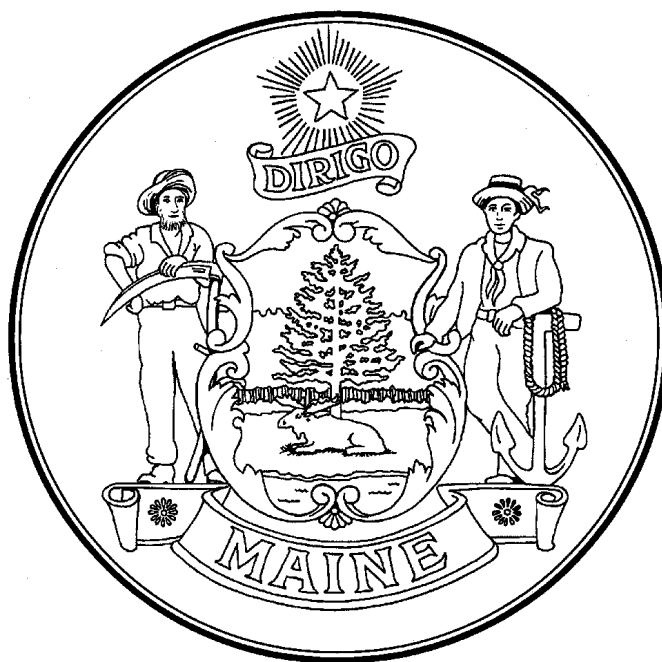


MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1859.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.

AUGUSTA:

STEVENS & SAYWARD, PRINTERS TO THE STATE.

1859.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1859.

CHAP. 94.

specie, deposits, loan, amount due from other banks, bills issued and amount of unsigned bills on hand.

Ch. 47, sec. 54,
R. S. amended.

SECT. 3. The fifty-fourth section of the same chapter is amended, by striking out the word "twenty" in the second line as printed, and inserting the word "four."

Act to amend
ch. 47, R. S.,
approved Mar.
25, 1858, re-
pealed.

SECT. 4. The act to amend sections fifty and fifty-four of chapter forty-seven of the revised statutes, relating to banks and banking, approved March twenty-fifth, eighteen hundred fifty-eight, is hereby repealed.

SECT. 5. This act shall take effect when approved by the governor.

[Approved April 2, 1859.]

Chapter 94.

An act in relation to reviews.

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

Proof of false
testimony on
trial, entitles to
review.

SECT. 1. If a petitioner for review makes it appear that a witness testified falsely to material facts against him in the original trial, whereby he was taken by surprise, and unable at the trial to produce evidence of the falsehood, but has since discovered such evidence, which together with any evidence before known, is in the opinion of the court, sufficient proof that the testimony was false; or if such witness has been convicted of perjury in such testimony, in either case the petitioner shall be entitled to a review.

Petition may
be commenced
within six
months; officer
may attach
property.

SECT. 2. A petition for review, for any cause above named, may be commenced within six months after the passage of this act, notwithstanding there may have been a former unsuccessful petition for review of the same action, and the officer serving such petition or writ of review may attach thereon the property of the respondent the same as on an original writ.

Action by party
in interest
may be reviewed,
party giving
bond.

SECT. 3. An action prosecuted or defended by a party in interest who is not the party of record, may be reviewed on petition of the party in interest setting forth the fact of such interest, but the writ of review in such a case shall not issue until the petitioner has filed a bond with sufficient surety or sureties, approved by the presiding judge, to secure the party of record against any judgment recovered by the defendant in review.

SECT. 4. This act shall take effect from and after its approval by the governor.

[Approved April 2, 1859.]