

# 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]

'But this act shall not apply to any of the waters of Penobscot bay, lying between lines running south from Naskeag point on the east, and from Dice's Head, by the eastern shore of Islesboro, on the west, and including the waters of Bagaduce river; where scallops may be taken between June fifteenth and September fifteenth of each year. It shall be unlawful to ship scallops so taken out of the State and the same penalties for such unlawful shipment shall apply as are prescribed in the first paragraph of the succeeding section of this act.'

CHAP. 93

—shall not apply.

Penalty for unlawful shipment of scallops.

Approved March 15, 1915.

### Chapter 93.

An Act Additional to Chapter Thirty-two of the Revised Statutes, as Amended by Chapter Two Hundred Six of the Public Laws of Nineteen Hundred Thirteen, Relating to the Protection of Fish, Game and Birds on the Southerly Point of Swan Island, in the Town of Perkins, in the County of Sagadahoc.

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

For a period of five years from the time this act takes effect, no person shall fish for, take, catch or kill, at any time, any kind of fish; or hunt, chase, catch, kill or destroy, at any time, any wild bird or any wild animal, within the following described territory, situated on the southerly point of Swan island, in the town of Perkins, in the county of Sagadahoc: All of the territory situated southerly of the land formerly owned by Robert Reed to high water mark on the shores thereof. No person shall have in possession, at any time, any kind of fish or any wild bird or wild animal taken in violation of any provision of this act. Whoever violates any provision of this act shall pay a fine of ten dollars and costs for each offense; and in addition thereto one dollar for each fish or wild animal or wild bird taken, caught, killed or had in possession in violation of any provision of this act.

Hunting and fishing prohibited for five years.

—territory.

—penalty for violation.

Approved March 15, 1915.

### Chapter 94.

An Act to Regulate the Construction of Mausoleums or Tombs to be Used for Permanent Burial.

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

Section 1. Before any person, firm or corporation, shall build, construct or erect, any mausoleum, vault or other burial structure, entirely above ground or partly above and partly by excavation, with the intention and purpose that when so built,

Must present plans for burial structures to State Board of health.

CHAP. 94

constructed and erected the same may contain twenty or more deceased human bodies for permanent interment, the person, firm or corporation, shall present all plans for such construction to the State Board of Health of the State of Maine, and shall obtain the written approval of said board of such plans before proceeding with the construction and erection of said mausoleum, vault, or other burial structure.

-approval.

Crypts or catacombs, how to be constructed.

Section 2. All crypts or catacombs placed in a mausoleum, vault, or other burial structure, as described in section one of this act, shall be so constructed that all parts thereof may be readily examined by the State Board of Health, or any other health officer, and such crypts or catacombs, when used for the permanent interment of a deceased body, or bodies, shall be so hermetically sealed that no offensive odor or effluvia may escape therefrom.

Penalty for violation of law, as set forth in preceding sections.

Section 3. Should any person, firm, or corporation, build, construct, or erect, a mausoleum, vault, or other burial structure, as specified in section one of this act, before obtaining the approval of the State Board of Health, as required in section one of this act, or should any person, firm, or corporation, after building or constructing said mausoleum, vault, or other burial structure, in accordance with the requirements, of this act, fail to hermetically seal all crypts or catacombs therein after a dead body or bodies have been placed in said crypts or catacombs, according to the requirements of this act, the said person, firm, or corporation, shall be fined not less than one hundred nor more than five hundred dollars for each offense, and the court may order the person, firm or corporation, by whose authority said interment or interments were made, in addition to said fine, within a reasonable time to hermetically seal said crypts or catacombs containing said deceased body or bodies, or in the discretion of the court to remove the deceased body or bodies, and bury it or them in some suitable cemetery, or the court may order the hermetical sealing of said crypt, or catacomb, to be done under the direction of the board of health in the municipality where said mausoleum, vault, or other burial structure is erected, and that the said person, firm, or corporation, shall pay all expenses attending the said work, or the removal of said body, or bodies, and the burial of the same in some cemetery, provided the said body, or bodies, can not be suitably and properly hermetically sealed in said crypts or catacombs.

Action taken if law is not complied with.

-expense, how borne.

-fine or penalties, how recovered.

Section 4. All fines or penalties provided by the terms of this act may be recovered or enforced by indictment, and the necessary processes for causing the crypts and catacombs to be

sealed, or the bodies to be removed and buried, may be issued under the direction of any justice of the Supreme Judicial court, or the Superior courts, in term or vacation time. CHAP. 95

Section 5. The Supreme Judicial courts and the Superior courts shall have original and concurrent jurisdiction, in all cases under the provisions hereof, provided that the judges of municipal and police courts and trial justices may cause the persons brought before them on complaint under the provisions of this act to recognize with sufficient sureties to appear before the Supreme Judicial courts, or Superior courts, and, in default thereof, shall commit them.

—court  
jurisdiction.

Approved March 15, 1915.

### Chapter 95.

An Act to Amend Sections Nineteen and Twenty of Chapter Sixty-five of the Revised Statutes, Relating to the Bond and Records of the Registers of Probate.

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

Section 1. Section nineteen of chapter sixty-five of the Revised Statutes, as amended by chapter one hundred nineteen of the Public Laws of nineteen hundred thirteen, is hereby amended by striking out in the eighth, ninth and tenth lines of said section as amended, the words, "not less than one hundred, nor more than one thousand dollars, at the discretion of the judge, who shall certify his approval thereon;" and by inserting in place thereof the words, 'the sum of one thousand dollars,' and by inserting after the word "allowed" in the twenty-first line of said section the words, 'all petitions for distribution and decrees thereon, and all petitions, decrees and licenses relating to the sale, exchange, lease or mortgage of real estate, and all petitions and decrees relating to adoption and change of name,' so that said section nineteen as amended shall read as follows:

Ch. 65, Sec.  
19, R. S., as  
amended by  
Ch. 119, P.  
L., 1913,  
further  
amended.

'Section 19. Registers of probate are elected or appointed as provided in the Constitution. Their election is effected and determined as is provided respecting county commissioners by chapter eighty, and they enter upon the discharge of their duties on the first day of January following; but the term of those appointed to fill vacancies commences immediately. All registers, before acting, shall give bond to the treasurer of their county with sufficient sureties, in the sum of one thousand dollars; and every register, having executed such bond, shall file it in the office of the clerk of the county commissioners of

Registers  
of probate,  
how elected.

—time of  
commenc-  
ing duties.

—bond, how  
approved.