

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED APRIL 17, 1857;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

UNITED STATES AND OF THE STATE OF MAINE:

WITH AN

APPENDIX.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

BANGOR:
WHEELER & LYNDE.

1857.

CHAP. 15.

CHAPTER 15.

BURYING GROUNDS.

- SEC. 1. Towns may purchase lands for burying grounds.
2. Proceedings to incorporate proprietors of burying grounds. Mode of organization, as a corporation.
3. Grounds to be fenced within one year.
4. Towns and parishes to fence ancient burying grounds.
5. Penalty, if selectmen or other officers neglect their duty.
6. Grounds to be fenced, and unalienable and indivisible, except by unanimous consent. Description to be recorded.
7. Land appropriated by individual for burying ground, exempt from attachment, and unalienable.

Towns may purchase lands for burying grounds.

R. S., c. 23, § 1.

Proceedings to incorporate.

Mode of organization.

R. S., c. 23,

§ 2, 3.

Grounds to be fenced within one year.

R. S., c. 23,

§ 4.

Towns and parishes to fence ancient burying grounds.

R. S., c. 23,

§ 5.

Penalty, if selectmen or other officers neglect their duty.

R. S., c. 23,

§ 6.

Grounds to be fenced, and unalienable and indivisible, except by unanimous consent.

Description to be recorded.

R. S., c. 23, § 7.

Land appropriated by individuals for burying ground, exempt from attachment, and unalienable.

1854, c. 129.

SEC. 1. All towns may raise and assess money necessary for purchasing and suitably fencing land for a burying ground.

SEC. 2. Persons twenty-one years of age or more may incorporate themselves for the purpose of purchasing land for a burying ground, as provided in sections one and two of chapter fifty-five; and proceed in the manner and have the powers provided in section three thereof.

SEC. 3. Such corporation, within one year after its organization, shall make a substantial fence around the burying ground, and keep it constantly in repair, under a penalty not exceeding one hundred dollars; which shall be laid out under the direction of the municipal officers in keeping the fence in repair.

SEC. 4. Each town, parish, or religious society, to which any ancient or public burying yard belongs, shall keep a substantial fence around it in good repair; and by neglecting so to do, shall forfeit not exceeding one hundred dollars, to be applied as prescribed in the preceding section.

SEC. 5. If the municipal officers of a town, or the treasurer or committee of a parish or religious society, neglect so to apply the said fines when recovered under their authority, they shall each forfeit the amount thereof, to be recovered by action of debt by any person suing therefor.

SEC. 6. When any persons appropriate a piece of land for a burying ground containing not more than half an acre, it shall be exempt from attachment and execution, and unalienable and indivisible by the owners without the consent of all; and be kept fenced and occupied as a burying ground; and they shall cause a written description of it, under their hands, attested by two disinterested witnesses, to be recorded in the registry of deeds in the county or district where it lies.

SEC. 7. When an individual appropriates a piece of land for a family burying ground containing not more than one-fourth of an acre; causes a description of it to be recorded in the registry of deeds of the same county, and encloses it with a substantial fence, it shall be exempt from attachment and execution; and no subsequent conveyance of it shall be valid, while any person is interred therein; but it shall remain to him and his heirs as a burial place forever.