

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

# ONE - HUNDRETH LEGISLATURE

---

---

**Legislative Document**

**No. 1409**

H. P. 1008

House of Representatives, February 8, 1961

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Johnson of Stockholm.

---

---

## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-ONE

---

### AN ACT Repealing Laws Requiring that Cemeteries be Fenced.

---

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

**Sec. 1. R. S., c. 58, § 2, repealed.** Section 2 of chapter 58 of the Revised Statutes is repealed.

**Sec. 2. R. S., c. 58, § 3, amended.** Section 3 of chapter 58 of the Revised Statutes is amended to read as follows:

**'Sec. 3. Ancient or public burying grounds cared for.** ~~Each town, parish, religious society and any individual, association or corporation to which any ancient or public burying ground belongs shall keep a substantial fence around it in good repair; and in~~ In any such burying ground in which any Revolutionary soldiers or sailors or soldier or sailor who served in the United States army, navy or marine corps in any war is buried, the town in which said burying ground is located shall keep in good condition and repair, all graves, headstones, monuments or markers designating the burial place of said Revolutionary soldiers or sailors or soldier or sailor who served in the United States army, navy or marine corps in any war and shall keep the grass suitably cut and trimmed on such graves during the summer season. Towns may raise and appropriate money for such purposes. ~~Each said town, parish, religious society, individual, association or corporation shall be liable to a penalty of not more than \$25 for neglect to maintain such fence in good repair, and each~~ Each said town shall be liable to a penalty of not more than \$10 for neglect to keep in good condition and repair all such graves, headstones, monuments and markers or failing to keep the grass suitably cut and trimmed ~~as aforesaid~~ on said graves. The penalties ~~above provided for~~ shall be recovered in ~~an~~ a civil

action of debt brought in the name and for the use of any chapter of the Daughters of the American Revolution or post of the American Legion against such negligent town, parish, religious society, individual, association or corporation.'

**Sec. 3. R. S., c. 58, § 5, amended.** Section 5 of chapter 58 of the Revised Statutes is amended to read as follows:

'**Sec. 5. Ancient or public burying grounds in unincorporated places cared for by county commissioners; Piscataquis County.** ~~The county commissioners of any county in which there is an unincorporated place or places wherein are any ancient or public burying grounds shall cause the same to be suitably fenced and thereafter maintained; they also~~ **They** shall cause the burying grounds aforesaid to be kept in proper condition and any bushes therein to be cut. All expenses and costs incurred in Piscataquis County while carrying out the provisions of this section shall annually be assessed, by the county commissioners of Piscataquis County, against the estates of said county.'