

MAINE STATE LEGISLATURE

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Sixty-Eighth Legislature.

HOUSE.

No. 189.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-SEVEN

AN ACT to incorporate the Sunny Side Cemetery Association.

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

Section 1. Waldo Pettengill, Oliver A. Pettengill, Stanley
2 Bisbee, George D. Bisbee, their associates, successors and
3 assigns, are hereby made and constituted a body corporate
4 by the name of the Sunny Side Cemetery Association; and
5 the said corporation is hereby authorized to locate, con-
6 struct, maintain and perpetuate a public cemetery within the
7 town of Rumford, and for the purposes of said corporation
8 may purchase, or take and hold as for public use, such land
9 as may be necessary for the present or future requirements
10 of said corporation; land so taken shall not extend nearer

11 any dwelling house than twenty-five rods against the written
12 protest of the owner made to the corporation.

Sect. 2. Whenever said corporation desire to take land
2 of any person for such cemetery, or to enlarge the same, it
3 shall first cause the same to be surveyed and a plan made
4 and signed by the president and treasurer of said corpora-
5 tion, with the date of such survey. The original shall be
6 filed in the office of the register of deeds for the county of
7 Oxford and a copy of the same, attested by such register,
8 given to the owner of the land described, or mailed to his
9 last known post office address, and when said plan is so filed
10 it shall be deemed and treated as taken by said corporation.

If the owner of said land does not consent thereto, or the
12 parties do not agree as to the necessity therefor, or the area
13 necessary to be taken, the corporation may make written
14 application to the county commissioners, describing the
15 land and naming the persons interested; the commissioners
16 shall appoint a time for the hearing near the premises and
17 require notice to be given to the persons interested as they
18 may direct, fourteen days at least before said time; and
19 shall then view the premises, hear the parties and determine
20 how much, if any, of such land is necessary for the reason-
21 able present and future use of said corporation. If they find
22 that any or all of the land so described is necessary they
23 shall furnish the corporation with a certificate containing
24 a definite description thereof; and when it is filed with the
25 register of deeds in the county where the land lies their decis-

26 ion shall be final, and the land shall be deemed and treated as
27 taken, and in the event the owner of the land taken and the
28 corporation are unable to agree upon the damages sustained
29 by reason of such taking, the same shall be ascertained and
30 paid in the manner provided by law for the taking of land
31 for highways.

Sect. 3. This corporation is hereby authorized, after it
2 shall have obtained the necessary land, to grade and lay the
3 same into lots, locate and build streets, plant shade trees,
4 construct fountains, erect and maintain receiving tombs, pur-
5 chase a hearse and do any and all additional things that may,
6 from time to time, be required to establish and maintain a
7 modern public cemetery.

Sect. 4. The capital stock of the corporation shall not
2 exceed twenty-five thousand dollars, and shall be divided
3 into shares of twenty-five dollars each.

Sect. 5. For the purposes of the corporation it is hereby
2 authorized to hold real and personal property, to raise money
3 by the sale of its lots, by the issue and sale of its capital stock,
4 to raise money by loan, and to receive and hold bequests
5 from persons and corporations for the purpose of protecting,
6 caring for and beautifying said cemetery or lots therein.

Sect. 6. The corporation shall set apart a suitable lot or
2 lots for the free use of the town for the burial of such persons
3 as have been a town charge, or who are buried at the
4 expense of the town.

Sect. 7. The corporation is authorized to elect all proper
2 officers and to adopt a code of by-laws and shall be subject

3 to all general laws relating to taxation as now or hereafter
4 may apply to public cemeteries.

Sect. 8. Either of the corporators named herein are
2 authorized to call the first meeting by giving at least seven
3 days written notice of the time and place of said meeting
4 mailed to each of his associates.

Sect. 9. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

March 2, 1897.

Reported by Mr. SMITH of Presque Isle, from Committee on Judiciary,
and ordered printed under joint rules.

W. S. COTTON, *Clerk.*