

# MAINE STATE LEGISLATURE

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**PRIVATE AND SPECIAL ACTS**

OF THE

**STATE OF MAINE,**

PASSED BY THE

**FIFTEENTH LEGISLATURE,**

AT ITS SESSION, HELD IN JANUARY, 1835.

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Published agreeably to the Resolve of June 28, 1820.

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**AUGUSTA:**

WILLIAM J. CONDON.....PRINTER TO THE STATE.

1835.

Penalty for refusing or neglecting to keep open such passage way:—how recovered and appropriated.

he or they so refusing or neglecting, shall forfeit and pay for each and every day he or they shall so refuse or neglect, the sum of five dollars, to be sued for and recovered in an action of debt, before any Court of competent jurisdiction; one half thereof to the use of the town where the offence shall be committed and the other half thereof to use of the person who shall sue for the same.

Former Act repealed.

SECT. 2. *Be it further enacted*, That an Act for the preservation, and to regulate the taking of fish, in Crooked River and Songo River, in the Counties of York and Cumberland, passed the sixteenth day of June in the year of our Lord one thousand eight hundred, be, and the same is hereby repealed.

## CHAPTER 530.

AN ACT to incorporate the Proprietors of the Forest Grove Cemetery.

Approved February 11, 1835.

Names of persons incorporated.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That John Eveleth, Benjamin Tappan, Henry W. Fuller, Thomas W. Smith, John Means, James L. Child, Bartholomew Nason, Frederic Wingate, Elias Craig, Jr. Jacob Hooper, Greenlief White, Charles Keene, Mark Nason, Benjamin Swan, William Hunt, John Hilton and William Norcross, their associates, successors and assigns, be and hereby are constituted a Corporation by the name of the "Forest Grove Cemetery;" and by that name may sue and defend in any Court of record, or in any other place; have and use a common seal; ordain, establish and put in execution, such by-laws, ordinances and regulations, as to them may appear necessary and convenient for the Government of said Corporation, and the prudent management of their affairs, provided the same be not repugnant to the laws of this State; take and hold not exceeding three acres of land in the town of Augusta, which shall be used solely and exclusively

Corporate name.

Powers, &c.

Real and personal estate—amount allowed to be held by Corporation.

for the purposes of a Cemetery for the dead; and personal property to an amount not exceeding twelve hundred dollars; with all the powers and privileges necessary to carry into full effect the objects contemplated by this Act of incorporation.

SECT. 2. *Be it further enacted,* That said Corporation may divide the land held as aforesaid, into suitable and convenient allotments, pathways and alleys, and assign in writing to each Corporator, and to each person who shall hereafter become an associate, to be held by them respectively and by their respective heirs and assigns subject to such rules and regulations as the Corporation shall from time to time ordain and prescribe, for the sole purpose aforesaid, a portion of said land, not exceeding in quantity five square rods; *Provided however,* if any Corporator or associate his heirs or assigns shall use, or allow any other person to use the allotment assigned to him as aforesaid for any other purpose than as aforesaid, the same shall forthwith revert to, and become the property of this Corporation and it may be assigned by them to some other Corporator or associate for the purposes aforesaid, in the same manner as if no assignment had been previously made.

Manner of dividing land & assigning allotments to each corporator.

Proviso.

SECT. 3. *Be it further enacted,* That no part of said land either before or after such allotment or assignment shall be liable to be attached, taken, distrained or sold, on mesne process, execution or warrant of distress so long as the same shall be kept or used for the purposes of a Cemetery as aforesaid—and the same shall be free from taxation so long as the same shall be used and dedicated exclusively to the purposes aforesaid.

Land aforesaid exempt from attachment and free from taxation.

SECT. 4. *Be it further enacted,* That the officers of the Corporation shall be a President, Secretary and Treasurer who shall perform the duties usually belonging to such offices, and they shall also be a Board of Managers of the affairs of said Corporation—and the Corporation may elect any other officers the By-laws shall prescribe.

Officers.

**Manner of calling first meeting.** **SECT. 5.** *Be it further enacted,* That the first meeting of this Corporation may be called by any three of the Corporators aforesaid by notice of the time and place thereof, published in any newspaper printed in Augusta ten days at least before the time appointed for holding the same.

### CHAPTER 531.

AN ACT in addition to "An Act to incorporate the Bangor House Proprietary."

Approved February 11, 1835.

**Proprietors allowed to purchase additional real estate to amount of \$5500.** **SECT. 1.** *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That the proprietors of the Bangor House be and the same are hereby authorized and empowered to purchase real estate adjoining to their present property to an amount not exceeding five thousand five hundred dollars:—*Provided* two thirds of the votes given at a meeting legally called for the purpose be in favor thereof: which estate when purchased, shall, on the delivery of the deed thereof, be deemed and become in law, personal property to be paid for, owned, improved, managed and considered in all respects in the same manner as other property of said Corporation.

**Proviso.**

**Right of Proprietors to sue for assessments, or cancel and annul shares in certain cases.** **SECT. 2.** *Be it further enacted,* That the said proprietors shall have the right and power at their option by vote of a meeting duly called for the purpose, either to sue for assessments, or to cancel and annul the share or shares of any member or corporator, who shall neglect, fail or refuse, for thirty days after notice given him, to pay twenty five per centum, at least, of all the assessments laid thereon prior to such notice; or who shall make surrender of his share, or shares and said surrender shall be actually accepted by vote of said Corporation; and after any share or shares be so cancelled and annulled or surrendered and accepted by vote as aforesaid, no previous owner thereof,

**Previous owner not allowed to vote after the cancel or surrender of his shares.**