

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)

ACTS AND RESOLVES

4628

PASSED BY THE

TWENTY-SECOND LEGISLATURE

OF THE

S T A T E O F M A I N E ,

A . D . 1 8 4 2 .

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and
March 16, 1842.

AUGUSTA:

Wm. R. SMITH & Co., PRINTERS TO THE STATE.

1842.

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1842.

Chapter 1.

AN ACT to incorporate the proprietors of Mount Moriah Cemetery.

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

SECT. 1. Samuel Lowder, with such other persons, as may become proprietors of allotments in the cemetery hereinafter named, and who shall, in writing, signify their assent to this act, their successors and assigns, are hereby constituted a corporation, by the name of the proprietors of Mount Moriah Cemetery, with all the powers, and subject to all the liabilities mentioned in chapter seventy six, of the revised statutes, entitled, "of corporations," with the power to purchase and to hold in trust, for the purposes intended by this act, not exceeding one acre of land in the city of Bangor, which shall be used exclusively for the purposes of a cemetery for the dead; and personal property to the amount of one thousand dollars, to be applied to purposes connected with said cemetery: it being the same land, which said Lowder has enclosed with a brick wall, and is situated on the southerly side of north west avenue road.

Corporators.

Corporate name.

Powers and liabilities as per R. S. ch. 76.

May hold one acre of land and \$1,000 personal property.

SECT. 2. The said corporation may divide the land, held as aforesaid, into sixty eight allotments or tombs, with suitable and convenient pathways and alleys; and assign, in writing, one or more allotments or tombs to each corporator, to be held by them respectively and their assigns, subject to such rules and regulations as the corporation shall from time to time ordain and establish. *Provided, however,* if any proprietor shall use, or allow any person to use, any allotment or tomb for any other purpose than as aforesaid, the same shall immediately revert to, and become the property of the corporation, and subject to be assigned or sold by the same.

Division, or allotments.

Subject to such rules as the corporation shall ordain.

CHAP. 1.

Allotments to be indivisible. Proceedings on the death of any proprietor in certain cases.

SECT. 3. The allotments or tombs in said cemetery shall be indivisible, and, on the death of any proprietor, whether his estate be solvent or insolvent, the devisee of such allotment or tomb, or, if no such devisee, the heir at law, shall be the owner and proprietor thereof; and if there be more than one devisee or heir at law, and they shall not agree which shall be the owner thereof, the proprietors, at a regular meeting, shall by vote designate which of said devisees or heirs shall become the proprietor and owner of said allotment or tomb, and such designated proprietor shall be considered the owner of such allotment or tomb, as fully as if he had purchased the same: and in making such designation the proprietors shall, as far as they conveniently may, give preference to males over females, and to proximity of blood and priority of age; having however, due regard to proximity of residence. And the supreme judicial court shall have power to correct any abuses, or to compel the due execution of any of the trusts hereby created, upon a bill of chancery, filed by any proprietor.

S. J. C. to have power to correct abuses, &c.

Allotments exempt from attachment.

SECT. 4. No part of said cemetery or said allotments or tombs shall be liable to be taken on execution, or be subject to taxation, and no highway shall be laid out over the same, so long as it shall be used, and dedicated exclusively to the purposes aforesaid; and an act passed March eight, one thousand eight hundred and thirty eight, entitled, "an act to incorporate the proprietors of the Lower Cemetery," is hereby repealed.

[Approved February 2, 1842.]

Chapter 2.

AN ACT to incorporate the trustees of the Waterville Academy.

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

Names of corporators.

SECT. 1. Samuel Plaisted, Stephen Stark, Zebulon Sanger, Edwin Noyes, Harrison A. Smith, David Garland, Amasa Dingley, Johnson Williams, Stephen Thayer, Samuel Taylor, and their successors, are hereby created a corporation by the name of the trustees of Waterville Academy, and, by that name may sue and be sued,

Corporate name.

Powers, &c.

and may have a common seal, and make any by-laws for the management of their concerns, not repugnant to the laws of this state; and may take and hold by gift, grant, or otherwise, any real or personal estate, the annual income of which shall not exceed fifteen hundred dollars, and may give, grant, convey, or lease, the same, and may

May hold property, income of which not to exceed \$1,500.