

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-THIRD LEGISLATURE

OF THE

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

A. D. 1843.

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

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

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1843.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1843.

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## Chapter 66.

AN ACT to incorporate the Bartlett Cemetery.

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

Corporators.

SECT. 1. Knott Bartlett, John Morse, Merritt Austin, Ira M. Gilman, Simeon Blood, junior, and Horatio Alden, 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 Bartlett Cemetery, with all the powers and subject to all the liabilities, mentioned in chapter seventy six of the revised statutes, entitled "corporations," with the power to purchase and to hold in trust, for the purpose intended by this act, land in Thomaston not to exceed one eight of an acre, and personal property to the amount of fifty dollars, to be applied to purposes connected with said cemetery ; it being the same which said Bartlett has enclosed with a stone wall, and is situated adjoining the land of John Sterling, on the road leading to O'Brien's marble mill.

Powers.

Amount of prop-  
erty.  
Description.

Allotments.

SECT. 2. The said corporation shall divide the land held as aforesaid, into ten allotments, in the same manner and with such pathways as is embraced in a plan made of the same in the month of December, in the year of our Lord eighteen hundred and forty one, and which is referred to in the deeds given to said corporators, and assign in writing one or more allotments 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 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.

Subject to rules  
and regulations  
of the corpora-  
tors.  
Proviso.

Allotments indi-  
visible.  
Disposition of al-  
lotments on  
death of proprie-  
tor.

SECT. 3. The allotments 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 if no devisee the heir at law, shall be owner and proprietor thereof ; and if there be more than one devisee or heir at law, and they shall not agree which shall be owner thereof, the proprietors, at a regular meeting, shall by vote designate which of said devisees or heirs at law shall become the proprietor and owner of such allotment, and such designated proprietor shall be considered the owner of such allotment, 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 abuses, or to compel the due execution of any of the trusts hereby created, upon a bill of chancery filed by any proprietor.

Powers of S. J. court.

SECT. 4. No part of said cemetery or said allotments 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.

Exemptions.

[Approved February 7, 1843.]

### Chapter 67.

AN ACT to authorize the county commissioners for the counties of Cumberland and Lincoln, to lay out a road over the bridge erected on New Meadows river, at a place called Little Bull Rock.

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

SECT. 1. The county commissioners of the counties of Lincoln and Cumberland, are hereby authorized, after petition and notice as required by the twenty fifth chapter of the revised statutes, to lay out a highway from High street in the town of Bath, county of Lincoln, over the bridge erected on New Meadows river, at a place called Little Bull Rock, to some point in the county of Cumberland.

County commissioners to lay out highway, and build a bridge after petition and notice.

SECT. 2. Nothing in this act shall be so construed, as to affect the powers and obligations imposed on the town of Bath by an act, passed March tenth, eighteen hundred and forty two, entitled "an act to authorize the town of Bath to erect a bridge over New Meadows river."

Powers and obligations of Bath not affected.

[Approved February 7, 1843.]

### Chapter 68.

AN ACT to set off part of the town of Hope, in the county of Waldo, and annex the same to the town of Appleton.

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

SECT. 1. The following described portion of the town of Hope, is hereby set off and annexed to the town of Appleton, to wit : beginning on the northerly line of the town of Union, two miles and

Part of Hope annexed to Appleton.