

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE,

1858.

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1858.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1858.

proportion of the stock of said corporation as proposed in section three of said act; and said stock so received, shall when exhibited to the judge of probate upon any settlement of their account as guardians, or when delivered to their said wards upon any settlement, be considered and received of such guardians as a full and perfect equivalent for the interest of the said wards as now existing.

[Approved March 4, 1858.]

Chapter 177.

An act to incorporate the Proprietors of Wildwood Cemetery.

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

SECT. 1. Joseph Carr, John E. Godfrey, S. P. Bradbury, Joseph S. Wheelwright, Hiram F. Mills, David Bugbee, Chandler Cobb and Frederick E. Shaw, their associates, successors and assigns, are hereby created a corporation by the name of the Proprietors of the Wildwood Cemetery.

Corporators.

Corporate name.

SECT. 2. Said corporation may take and hold real estate in the city of Bangor, not exceeding one hundred acres, and may also take and hold personal estate not exceeding three thousand dollars, to be applied to purposes connected with and appropriate to the objects of said corporation.

May hold real estate.
May hold personal estate.

SECT. 3. The capital stock of said corporation shall be five thousand dollars, which shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and be transferable on the books of the corporation, in such manner as said corporation shall by its by-laws direct; and each share shall be entitled to one vote in the transaction of the business of the corporation.

Capital stock, \$5,000
Shares.

SECT. 4. The officers of said corporation shall be a president, clerk, treasurer, and board of trustees, of not less than three, nor more than five persons, who shall be elected annually, by ballot, at the annual meeting, and shall hold their offices until others are chosen.

Officers, president, clerk, treasurer and trustees.
—how elected.

SECT. 5. The annual and special meetings of the corporation shall be holden at such time and place and such notice thereof shall be given as the by-laws shall direct.

Annual meetings.

SECT. 6. Any person who shall willfully destroy, mutilate, deface, injure or remove any tomb, monument, grave-stone, or other

Liability for destroying, mutilating, &c. tomb, &c.

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structure, placed in the cemetery aforesaid, or any fence, railing or other work for the protection or ornament of any tomb, monument, grave-stone, or other structure aforesaid, or of any cemetery lot within the cemetery aforesaid, or shall willfully destroy, remove, cut, break or injure any tree, shrub, plant or flowers, not their own, within the limits of the said cemetery, or shall shoot or discharge any gun or other fire-arms within said limits, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine not exceeding five hundred dollars; and such offender shall also be liable in an action of trespass, to be brought against him in any court of competent jurisdiction in the name of the corporation, or owner of the lot on which said trespass was committed, as the case may be.

Penalty.
Liable in action of trespass.

Membership upon death of any proprietor.

—how designated in certain cases.

SECT. 7. Upon the death of any member of the corporation, the devisee of the share or shares of such member, or the heir at law, as the case may be, shall be entitled to all the privileges of membership as aforesaid; and if there be more than one devisee or heir at law, the trustees for the time being, shall designate which of the said devisees or heirs at law shall represent the said lot, and vote in the meetings of the corporation, which designation shall continue in force, until by death, removal or other cause, another designation shall become necessary, and in making such designation, the trustees shall, as far as they conveniently may, give the preference to proximity of blood, and priority of age, having due regard however, to sex and proximity of residence.

May hold upon trust any grant, donation, &c.
—income, how applied.

SECT. 8. It shall be lawful for said corporation, to take and hold any grant, donation, or bequest of property, upon trust, to apply the income thereof, under the direction of the trustees, for the improvement or embellishment of the said cemetery or any lots therein, or of any buildings, structures or fences erected or being erected upon the lands of said corporation, or of any individual proprietor of a lot in the cemetery, or for the repair, preservation, or removal of any tomb, monument, grave-stone, fence or railing, or other erection in or around any cemetery lot, or for the planting and cultivation of trees, shrubs, flowers or plants, in or about any cemetery lot or grounds, according to the terms of such grant, donation or bequest; and the supreme judicial court shall have full power and jurisdiction to compel the due performance of said trusts.

S. J. court, power and jurisdiction of.

Trustees to have direction of improvements, &c.

SECT. 9. The improvement of any lot in said cemetery shall be under the direction of the trustees of said corporation; and no change or alteration shall be made in any lot, except by the written consent of said trustees, a copy of which, certified by the clerk, shall be filed with him by the person obtaining such consent.

SECT. 10. Any three or more of the persons named in this act shall have authority to call the first meeting of the corporation, by an advertisement in one or more of the newspapers printed in the city of Bangor, seven days at least before the time of holding such meeting, and specifying the time and place thereof; and at any such meeting or any adjournment thereof, any elections may be had, or any business done, which are herein authorized to be had and done at an annual meeting, although the same may not be specified in the notice for said meeting; and the officers chosen at said meeting shall continue in office until the annual meeting of said corporation next ensuing, and until others shall be chosen in their stead.

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First meeting, how called.

Elections, same as at annual meetings.

SECT. 11. The said corporation shall be and hereby is exempted from taxes on estate real or personal held by them as aforesaid; and the lots and all improvements and erections thereon, shall be exempt from attachment and execution against the respective owners thereof.

Taxes, corporation exempt from.

Lots and improvements exempt from attachment and execution against owners. By-laws.

SECT. 12. This corporation shall have power to make all needful by-laws for the protection and regulation of their property and affairs, not inconsistent with the laws of the state.

[Approved March 4, 1858.]

Chapter 178.

An act to divide the Congregational Parish in the town of Sanford.

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

SECT. 1. The Congregational Parish in the town of Sanford in the county of York, is divided by the following line, viz: commencing at the Hay brook bridge on the road leading from Powers' tavern so called, to Alfred; thence running a westerly course to the house of Jonas Littlefield; thence running a westerly course to the house of John Lord; thence running a westerly course to the centre of the road at North Berwick line, near Joseph Staples' house, said Staples and Lord to belong to the north parish; that portion of said Congregational Parish situated north of the line aforesaid, shall be known by the name of the North Congregational Parish in the town of Sanford, with all the privileges, and liable to all the duties incident to parishes by the laws of this state; and that portion of said parish situated south of said line, shall be known by the name of the South Congregational Parish in the town of Sanford, with all the privileges, and liable to all the duties incident to parishes by the laws of this state.

Authorized to divide the Congregational parish in Sanford.

—how divided.

North of line, name of. Privileges, &c.

South of line, name of. Privileges, &c.