

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

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Published by the Secretary of State, agreeably to Resolves of  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth  
Legislature

1909

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CHAP. 297

ceased persons buried on the farm formerly owned and occupied by him in Cape Elizabeth in said county of Cumberland, and all headstones and markers at the graves of such deceased persons, and decently inter said bodies and remains and properly reset such headstones and markers over such bodies and remains in the public cemetery in said town of Cape Elizabeth.

Approved March 24, 1909.

### Chapter 297.

An Act to create a Cemetery Corporation for the City of Rockland.

*Be it enacted by the People of the State of Maine, as follows:*

Corpora-  
tors.

Section 1. G. L. Farrand, Henry T. Beverage, John F. Gregory, Israel Snow, Lucien B. Keene, Edward A. Butler, Edward W. Berry, Alvin W. Lovejoy, Connevy E. Rising, C. M. Walker, George H. Hart, Charles L. Smith, William W. Case, William T. Orbeton, Edward J. Clifton, Frank C. Flint, Elijah H. Herrick, Lorenzo S. Robinson, Myron J. Hahn, Joshua Bartlett, their associates and successors are hereby made a corporation by the name of Rockland Cemetery Association for the purpose of acquiring, holding, controlling, caring for and improving grounds set apart and used for burial purposes, situate in the city of Rockland and town of Rockport, and said corporation shall have all the powers and privileges and be subject to all the duties, restrictions and liabilities contained in the general laws existing or which may hereafter be in force relating to such corporation.

—corpor-  
ate name.

—pur-  
poses.

Author-  
ized to as-  
sume legal  
control of  
certain in-  
terests in  
cemeteries  
in the city  
of Rock-  
land.

Section 2. Said corporation is hereby authorized and empowered to take possession and assume legal control of the interest of said city of Rockland in what is known as the Bay Point cemetery and in Achorn cemetery in said city of Rockland, and to hold legal title to such property in both of said cemeteries as the said city of Rockland may have therein, as well as of all other property that may be hereafter acquired in pursuance of this charter, all subject to the rights of individuals therein.

May acquire  
additional  
and ad-  
joining said  
ceme-  
teries.

—may hold  
personal  
property.

—may hold  
any grant,  
donation or  
bequest of

Section 3. Said corporation may acquire by purchase, gift, or devise and hold for the purposes of said corporation land additional to and adjoining said Bay Point and Achorn cemeteries. Said corporation may hold such personal property as may be necessary for the purposes of the corporation; and said corporation is hereby authorized to take and hold any grant, donation or bequest of property upon trust, and to apply the same or its income to the improvement and beautifying of said ceme-

tery, or for the construction, repair, preservation or renewal of any monument, fence, or other structure, in the planting and cultivation of trees, shrubs or plants in or around any lot, or the improving of said premises in any other manner or form consistent with the purposes for which said cemetery is established, and in accordance with the terms of said grant, donation or bequest.

Section 4. Said corporation shall have a corporate seal to be used in its conveyances and for any of the usual purposes of such a seal, and may make and establish such by-laws for the government of its concerns as may be necessary, not conflicting with the laws of this state.

property upon trust, and apply the same or its income to improvements.

Shall have a corporate seal.

—establish by-laws.

Section 5. Said corporation, by its board of trustees, shall have the care, control and general management, for purposes of preservation of the lands and grounds of said cemetery, and shall have power to institute legal proceedings for the punishment for any and all offenses committed therein.

Board of trustees to have care and control of cemeteries.

Section 6. Any person who now is or may hereafter become a proprietor of a lot, by deed or otherwise, in the land mentioned in section one of this act, or in land hereafter acquired by said corporation, shall, if he so desire, become a member of said corporation; and when any person shall cease to be a proprietor of a lot in the lands of said corporation he shall cease to be a member thereof.

Proprietor of a lot may become member of said corporation.

Section 7. The officers of this corporation shall be a board of seven trustees, a clerk, a treasurer, and such other officers as its by-laws may prescribe, who shall hold office for such time and be elected in such manner as may be required by the by-laws of the corporation.

Officers.

Section 8. The treasurer of said corporation shall be required to give bond with sureties in such sum as the board of trustees may deem sufficient, and said treasurer shall have reasonable compensation for his services.

Treasurer shall give bond.

Section 9. Any five of the corporators herein named are hereby authorized to call the first meeting of this corporation by publication for two weeks successively in each of the newspapers of the city of Rockland, the last of which shall be at least seven days before said meeting, said publication to be at the expense of the city of Rockland.

First meeting, how called.

Section 10. Said corporation is hereby authorized to receive all moneys now held in trust by the city of Rockland, for cemetery purposes, and the treasurer of the city of Rockland is hereby authorized to pay the treasurer of said corporation all money held by the city of Rockland in trust for cemetery purposes, and the treasurer of said cemetery cor-

Authorized to receive all moneys held in trust by city of Rockland.

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—mayor and treasurer authorized to deed all land held by city for burial purposes.

poration shall place said money at interest in some approved savings institution in the city of Rockland. The mayor and treasurer of the city of Rockland are hereby authorized to give a sufficient deed to said corporation of all land held by the city of Rockland for burial purposes, and the trustees of said corporation are authorized to receive all articles of personal property herein mentioned, the same to be used for the carrying out of the purposes of this act.

—proviso.

Provided, that the city shall have five years within which to pay said fund to said treasurer of said corporation, and provided also that no fund now held by said city of Rockland shall be paid to the treasurer of said corporation if such fund is to be paid in violation of any trust originally reposed in said city of Rockland.

—proviso.

And provided further, that said city of Rockland shall be liable for a rate of interest to be agreed upon between it and said corporation for all sums not paid under the foregoing section, interest to be paid semi-annually to said corporation.

Approved March 24, 1909.

### Chapter 298.

An Act to amend the charter of the Messalonskee Electric Company.

*Be it enacted by the People of the State of Maine,* as follows:

Certain powers granted.

Section 1. The Messalonskee Electric Company is hereby given the powers of section fifty-one of chapter forty-seven of the revised statutes.

May guarantee payment of interest, etc.

Section 2. Said Messalonskee Electric Company is authorized to guarantee payment of interest or dividends or performance of other obligations by companies in whose securities or property it becomes interested.

Approved March 24, 1909.

### Chapter 299.

An Act relating to the Probate Records of Cumberland County.

*Be it enacted by the People of the State of Maine,* as follows:

Judge of probate may grant special administration, in certain cases.

Section 1. Whenever it shall clearly appear to the judge of probate within and for the county of Cumberland, that a will was made and probated, and destroyed by the fire in Portland on the twenty-fourth day of January, in the year of our Lord one thousand nine hundred and eight, and that said will cannot be