

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
AS PASSED BY THE
Eighty-ninth and Ninetieth
Legislatures

OF THE
STATE OF MAINE

From April 21, 1939 to April 26, 1941
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
approved August 6, 1930 and April 2, 1931.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1941

PROPERTY OF THE
STATE OF MAINE
NOT TO BE SOLD

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninetieth Legislature

(Effective July 26, 1941)

Chapter 70

AN ACT Relating to Penalties for Violation of Ordinances of the City of Bath.

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

City of Bath may enact certain ordinances. The city council of the city of Bath is hereby authorized and empowered to enact by-laws, ordinances and regulations for municipal purposes, not inconsistent with the constitution and laws of the state. Whoever violates any provision of such by-laws, ordinances or regulations shall be punished by a fine of not more than \$50 payable to the court, or by imprisonment for not more than 30 days, or by both such fine and imprisonment.

Approved April 19, 1941

Chapter 71

AN ACT Permitting Lebanon to Apply for Aid Under the Bridge Act.

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

Lebanon may apply for aid under the bridge act. The town of Lebanon is authorized to apply for state and county aid in the reconstruction of the state of Maine portion of the interstate bridge known as the New Bridge over Salmon Falls river, and all of the provisions of the "bridge act", so-called, sections 62 to 73 of chapter 28 of the revised statutes, as amended, shall apply in the same manner as provided for intrastate bridges.

Approved April 19, 1941

Chapter 72

AN ACT to Authorize the City of Bangor to Remove the Remains in a Burying Ground in Hampden.

Emergency preamble. Whereas, the city of Bangor acquired a lot of land in 1922 by purchase from the Stern's Lumber Company, located in Hampden, for a gravel bank; and

Whereas, situated at the top of a hill on said land so purchased there is situated a very ancient burying ground in which certain people were buried approximately 90 years ago; and

CHAP. 72

Whereas, the city of Bangor in the process of excavating and removing sand and gravel from said land, has now used such a quantity of gravel and sand from said premises as to endanger the location of said burying ground; and

Whereas, it is necessary in order to preserve the remains in said burying ground, that the same should be removed and reburied in some suitable location provided by said city of Bangor, and

Whereas, because of the large amount of sand and gravel now being used for municipal purposes there is a likelihood of having to use a quantity of sand and gravel from said premises in the construction of the Bangor municipal airport and public highways to be constructed by the government for the use of said municipal airport, and in connection with public defense; and

Whereas, the city of Bangor will be seriously hampered in conducting the removal of sand and gravel from said premises without injury to said burying ground, and it now becomes necessary to have authority to remove the remains from said burying ground and to rebury the same; and

Whereas, the city of Bangor is now desirous of continuing to use said sand and gravel and to preserve insofar as possible, the remains in said burying ground; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. Removal of bodies from old Emery burying ground, authorized. The city of Bangor is hereby authorized to remove from the old Emery burying ground in Hampden situated upon premises acquired by purchase from the Stern's Lumber Company by deed in 1922, the remains of the dead people there buried, and to rebury the same in some suitable lot or location either in Hampden or in Bangor as may seem reasonable and proper to said city of Bangor.

Sec. 2. Notice. Said city of Bangor before the removal of the remains of said dead so buried in said burying ground, shall give public notice in a newspaper published in said city of Bangor once a week for 3 weeks prior to said removal, said notice so published to request all persons who may be interested in the removal and reburying of said remains of said dead persons to declare their preference to the city clerk of said city of Bangor, if

CHAP. 74

any they may have, as to whether said remains shall be buried in Bangor or in Hampden. The city of Bangor shall carry out the request of the nearest relative or friend who declares such preference. In case of any dispute, the declarer who would have the right to remove the body under existing law shall prevail. The sexton of the cemetery in which the remains are to be buried shall remove said remains.

Sec. 3. Expense. The expenditure of said removal and reburial of said remains shall not exceed \$50 in each case, to be paid by the city of Bangor.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved April 21, 1941

Chapter 73

AN ACT Relating to St. Joseph's Convent and Hospital.

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

P. & S. L., 1913, c. 76, amended. Chapter 76 of the private and special laws of 1913 is hereby amended to read as follows:

'St. Joseph's Convent and Hospital. St. Joseph's Convent and Hospital, a corporation organized under the laws of this state and located at Portland, in the county of Cumberland, which organization is hereby ratified, confirmed and declared to be legal and valid, is authorized and empowered for the purposes of its organization to receive, take and hold, by deed, devise, bequest, or otherwise, property, personal and real, to the amount of ~~three hundred and fifty thousand (\$50,000) dollars~~, \$1,000,000 including all gifts, conveyances, bequests and devises heretofore made to said corporation.'

Approved April 21, 1941

Chapter 74

AN ACT Increasing the Powers of the City of Brewer High School District.

Emergency preamble. Whereas, a fire has recently destroyed one of the largest school buildings in the city of Brewer, and