

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
AS PASSED BY THE  
Ninetieth and Ninety-first  
Legislatures  
OF THE  
STATE OF MAINE  
From April 26, 1941 to April 9, 1943  
AND MISCELLANEOUS STATE PAPERS

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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  
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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-first Legislature

1943

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**Sec. 8. Existing statutes not affected; rights conferred.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. All rights and duties herein mentioned shall be exercised and performed in accordance with all applicable provisions of chapter 56 and chapter 62 of said revised statutes and acts amendatory thereof and additional thereto.

**Sec. 9. Limitation.** This act shall become null and void and of no effect unless on or before July 15, 1945, the said dam site has been acquired and construction of said dams and/or canals has been actually commenced and the requisite \$25,000 has been paid into the treasury in accordance with section 2 of this act.

Effective July 9, 1943

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## Chapter 51

### AN ACT to Establish a Board of Trustees of Public Cemeteries for the City of Waterville.

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

**Sec. 1. Board created.** The public cemeteries now or hereafter existing in the city of Waterville shall be in charge of and administered by a board of 3 trustees to be called the "Trustees of Public Cemeteries".

Such trustees shall be residents in Waterville and the office of each trustee shall be vacated by the removal of residence from said city. No person shall be a trustee unless owning a lot in a public cemetery in said city, or being a descendant of such lot owner.

**Sec. 2. Appointment and terms.** The mayor of the city of Waterville shall appoint the trustees of public cemeteries. Initially, 1 shall be appointed for a period of 2 years, 1 for 4 years, and the 3rd for 6 years and, following said terms, their successors shall each be appointed for 6 years or until their successors are appointed and qualified. When the office of a trustee is vacated for any reason or the term of his office has expired, the mayor shall appoint a successor for the unexpired term of such trustee. All said periods of office shall end on the 2nd Monday in March of the year in which the term expires.

**Sec. 3. Authority over cemeteries.** The trustees shall have full authority to purchase equipment and tools, to improve the grounds, to regulate the grading of lots, the planting and removal of trees, shrubbery, and other growths, and to employ and direct a superintendent and all necessary labor, fixing and paying their compensation.

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The superintendent shall be employed at the pleasure of the trustees to attend to such duties as they may prescribe, and to him they may delegate authority over burials, interments, and disinterments according to law, and the duties of providing such records thereof as are required.

**Sec. 4. Accounting duties.** The trustees shall receive all moneys, make all purchases necessary for the upkeep of cemeteries, and pay all bills, keeping records of the transactions in a book kept for that purpose, which shall be open for inspection and audit by any authorized official.

An annual report shall be submitted to the mayor, and shall be printed in the annual report of the city.

**Sec. 5. Organization.** Following the effective date of this act and each 2 years thereafter promptly after the appointment of the successor trustee, the said trustees shall organize with the election from their membership of a chairman and a secretary-treasurer. Each trustee shall receive a salary of \$25 per year, and the secretary-treasurer shall receive an additional salary of \$125 for his services, and shall furnish a bond in the penal sum of \$5,000 to said city. The secretary-treasurer shall hold office until his successor is chosen and qualified.

**Sec. 6. Sale of lots.** Said board of trustees shall sell to any person or persons in behalf of and in the name of said city a burial lot in the public cemeteries within the city for such sum as the trustees may determine. The city clerk shall give a deed of said lot setting forth the rights and privileges of the purchaser in the premises and shall record the same in a book kept by him for the purpose upon the payment of the recording fee.

**Sec. 7. Authority over funds.** The trustees shall take over, hold, and administer all the cemetery assets and property and all funds, in trust or otherwise, for care of cemeteries or lots therein, from any and all committees, from city officers, or cemetery officials heretofore having the same.

Gifts, moneys or other considerations tendered to the city or to said trustees for perpetual care of a lot or lots, shall be subject to acceptance by said trustees, and if accepted and paid shall be placed in a separate fund known as a "Perpetual Care Fund" and with the income therefrom shall be used and expended in compliance with the conditions upon which received. The "Perpetual Care Fund" may be invested by the trustees with the consent and advice of the mayor and aldermen.

All moneys received from the sale of lots, or for the care of same, without trust or condition, and from any other sources, shall be placed in a fund known as the "Cemetery Fund", which may be expended for the salaries of trustees, officers, superintendent, wages of employees, equipment, care and improvement of grounds and other authorized purposes.

Sec. 8. Repeal of prior authorities. All charter provisions, ordinances, and by-laws of the city of Waterville inconsistent with this act or within the scope hereof are hereby repealed from and after the date this act shall take effect.

Effective July 9, 1943

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## Chapter 52

### AN ACT Relating to the Salary of the Recorder of the Portland Municipal Court.

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

Sec. 1. P. & S. L., 1887, c. 274, § 1, amended. Section 1 of chapter 274 of the private and special laws of 1887, as amended by chapter 21 of the private and special laws of 1937, is hereby further amended to read as follows:

'Sec. 1. Salary of recorder. The salary of the recorder of the municipal court for the city of Portland shall be ~~\$1,600~~ \$2,400 per annum, beginning January 1st, 1943, which shall be in full for all services, and it shall be the duty of said recorder to make and present all copies of libels and monitions in liquor cases.'

Sec. 2. Limitation of act. This act shall remain in force for a period of 2 years only. It is the intent of the legislature to change the present statute for a period of 2 years only, after which the present statute shall return to full force and effect.

Effective July 9, 1943

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## Chapter 53

### AN ACT Relating to Terms of the Northern Aroostook Municipal Court at Fort Kent for the Trial of Actions of Forcible Entry and Detainer.

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

P. & S. L., 1939, c. 18, § 16, amended. Section 16 of chapter 18 of the private and special laws of 1939 is hereby amended to read as follows:

'Sec. 16. Transaction of civil business. ~~Upon this act becoming effective~~ On and after July 21, 1939, the terms of the Northern Aroostook Municipal Court for the transaction of civil business shall be held on the 2nd Tuesday of every month in the town of Fort Kent in the county of