

MAINE STATE LEGISLATURE

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N I N E T Y - T H I R D L E G I S L A T U R E

Legislative Document

No. 96

H. P. 119

House of Representatives, January 21, 1947.

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Holt of Bar Harbor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

AN ACT to Incorporate the Reef Point Gardens Corporation.

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

Sec. 1. Incorporation. Beatrix Farrand, Serenus B. Rodick, Robert W. Patterson, Albert H. Cunningham, Isabelle M. Stover, Lawrence Morris and Gerrish H. Milliken, their associates, successors, and assigns are hereby incorporated and made a body politic as a charitable, scientific and educational corporation with its principal place of business at Bar Harbor, Maine, under the name of The Reef Point Gardens Corporation, with the right to have continual succession, a common seal, elect all necessary officers, adopt by-laws not inconsistent with law, and enforce its by-laws by suitable penalties, and in addition thereto to enjoy all other rights, privileges and immunities of legal, charitable, scientific and educational corporations organized under the provisions of chapter 50 of the revised statutes of 1944, and acts additional thereto and amendatory thereof.

Sec. 2. May acquire property. The corporation may for its purposes own and hold the lands and buildings, together with the rights and privileges appurtenant thereto, now known as Reef Point Gardens, containing approximately 6½ acres in the town of Bar Harbor on the shore of Frenchman's Bay, and these only if acquired by devise. It shall not own nor hold any other real estate.

The corporation may for its purposes hold, receive and acquire personal property in any amount in excess of any limitation imposed by the general law upon charitable, scientific, and educational corporations.

It may hold, use and dispose of its property, real and personal as to principal or income and in whole or in part, only for the purposes for which the corporation is organized or to corporations or associations within or without the state of Maine organized for similar purposes. Said corporation shall have no power to and shall not carry on propaganda or otherwise attempt to influence legislation.

Sec. 3. Powers of corporation. The corporation has all the broad powers which now pertain by law to corporations organized for charitable, scientific and educational purposes, under the provisions of chapter 50 of the revised statutes of 1944 and acts additional thereto and amendatory thereof, and in furtherance and not in limitation of the purposes and powers hereinbefore stated, its powers and purposes shall include adding to the knowledge of and encouraging interest in horticulture, landscape gardening and related subjects and to provide a place and means for accomplishing the same; to develop and improve its lands for the purpose of making exhibits of scientific and educational value, of trees, shrubs, herbs and other plants for the public benefit; to experiment and make studies in connection with the growth of plants; to publish reports; to provide scholarships for study of landscape architecture and horticulture; to construct, maintain, and operate a museum and library, and places of exhibition and study for any of the purposes herein mentioned, the same to be free to the public. It shall have equally broad powers in connection with any purpose defined as a scientific, charitable and educational purpose under the general laws of Maine.

Sec. 4. No compensation to officials. No officer, member or employee of this corporation shall receive or be lawfully entitled to receive any pecuniary profit from the operations thereof, except reasonable compensation for services in effecting one or more of its purposes. The governing board shall be entitled to reimbursement for all reasonable expenditures, but shall receive no compensation for their services.

Sec. 5. First meeting. The first meeting of said corporation shall be called by a notice signed by one of the incorporators hereinbefore named stating the time and place thereof, and mailed to each of the incorporators at his usual place of business or residence. No notice shall be necessary to such of the incorporators as shall in writing waive notice of said meeting. At such first meeting, said incorporators or a majority of them shall

effect an organization in the same manner as if proceeding under the aforesaid chapter 50 of the revised statutes of 1944 and acts additional thereto and amendatory thereof, except insofar as the procedure prescribed by such chapter may be inconsistent with the terms of this act.

Sec. 6. Certificates to be filed. Before commencing business a majority of the directors of this corporation shall file certificates as provided for by section 4 of chapter 50 of the revised statutes.