

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 721

House of Representatives, March 13, 1915.

*Reported by Mr. Hanson from Committee on Legal Affairs
and ordered printed under joint rules.*

C. C. HARVEY, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to incorporate Mount Pleasant Cemetery Corporation.

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

Section 1. Norman H. Fay, Amos A. Springall, Wesley
2 H. Judkins, John H. Larrabee, Samuel L. Small, Frank H.
3 Haynes, Charles M. Foss, Arthur P. Abbott, Charles F.
4 Bean, and Henry A. Blethen; together with such other per-
5 sons as are owners, or proprietors of lots in the cemetery
6 of Mount Pleasant, in Dexter in the County of Penob-
7 scot, are hereby created a corporation, by the name of The
8 Mount Pleasant Cemetery Corporation.

Sect. 2. Said corporation may take and hold in fee simple,
2 the grounds of the cemetery of Mount Pleasant aforesaid,

3 and any other lands that may be convenient for cemetery
4 purposes in the neighborhood thereof, and may also take
5 and hold the grounds of any other cemeteries in said town
6 of Dexter which are now being used for burial purposes,
7 all of which to be embraced under said corporate name as
8 aforesaid, and may also take and hold any personal estate
9 not exceeding ten thousand dollars, to be applied to pur-
10 poses connected with and appropriate to the objects of said
11 corporation.

Sect. 3. All persons who are or shall hereafter become
2 owners of lots in said cemetery shall be members of said cor-
3 poration and each member shall be entitled to one vote and
4 no more, provided that when the title to any lot is or shall
5 become vested in several persons, said owners of said lot
6 shall be entitled, collectively, to one vote and no more.

Sect. 4. The officers of this corporation shall be a presi-
2 dent, secretary, treasurer and an executive committee of
3 not less than three nor more than five persons, who shall be
4 elected annually by ballot at the annual meeting, and shall
5 hold their offices until others are chosen. The secretary
6 and treasurer may be one and the same person.

Sect. 5. The annual and special meeting of this corpora-
2 tion shall be holden at such time and place, and such notice
3 thereof shall be given as the by-laws shall direct.

Sect. 6. Said corporation may take and hold any grant,
2 donation, or bequest of property, in trust, to apply the in-
3 come thereof, under the direction of the executive commit-

4 tee, for the improvement of said cemetery or any lots there-
5 in, or of any building, structures or fences erected or being
6 erected upon the lands of said corporation or of any individ-
7 ual proprietor of a lot in the cemetery or cemeteries, or for
8 the repair, preservation, or removal of any tomb, monument,
9 gravestone, fence or railing, or other erections in or around
10 any cemetery lot, or for the planting and cultivation of trees,
11 shrubs, flowers, or plants in or about any cemetery lot, ac-
12 cording to the terms of such grant, donation or bequest.
13 The town of Dexter at any regularly called annual meeting
14 may vote to assign and turn over to said corporation any
15 or all trust funds held by said town for the care or the
16 improvement of lots in said cemetery, and when said funds
17 shall have been turned over to said corporation in accord-
18 ance with said vote, said town shall be forever released from
19 all further liability regarding said trust funds. The Su-
20 preme Judicial Court shall have full jurisdiction to compel
21 the due performance of any and all trusts upon a bill filed by
22 a proprietor of any lot for that purpose.

Sect. 7. Any three or more of the persons named in this
2 act shall have authority to call the first meeting of this cor-
3 poration, by an advertisement printed in The Eastern Ga-
4 zette, a newspaper published at said Dexter, seven days at
5 least before the time of holding such meeting, and specify-
6 ing the time and place thereof, and at any such meeting,
7 or any adjournment thereof any elections may be had, or
8 any business done which are herein authorized to be had

9 and done at any annual meeting, although the same may not
10 be specified in the notice for said meeting. The officers
11 chosen at said meeting shall continue in office until the an-
12 nual meeting of said corporation or until others shall be
13 chosen in their stead.

Sect. 8. Said corporation shall be exempt from all taxes
2 on all property held by it as aforesaid, and the lots and all
3 improvements and erections thereon, shall be exempt from
4 attachment and execution against the respective owners.

Sect. 9. All property held by this corporation at any time,
2 and all money resulting from sales thereof, or of which
3 said corporation may be otherwise possessed, shall be ex-
4 clusively devoted and applied to the preservation, improve-
5 ment, embellishment and enlargement of the said cemetery
6 or cemeteries and the incidental expenses thereof, forever,
7 and for no other purpose whatever, and no distribution, di-
8 vision or dividend thereof, or of any part thereof shall ever
9 be made among the members or stockholders.

Sect. 10. Said corporation shall have power to make all
2 needful by-laws for the protection and regulation of its
3 property and affairs not inconsistent with the laws of this
4 state.

Sect. 11. All moneys paid into the treasury by any per-
2 son in trust as provided by the eighth section of this act,
3 shall be invested only in such securities as are lawful for
4 Savings Banks in the State of Maine or loans to the Town
5 of Dexter.

Sect. 12. This act shall take effect only after the town
2 of Dexter by major vote in a legal meeting of the voters
3 of said town, called and held within two years after its
4 passage, shall approve said act and vote to convey to said
5 corporation its interest in said cemetery.