

# 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)

---

---

SEVENTY-NINTH LEGISLATURE

SENATE

NO. 40

---

---

In Senate, Jan. 29, 1919.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent down for concurrence.

P. F. CRANE, Secretary.

Presented by Senator Dearth of Penobscot.

---

STATE OF MAINE

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

---

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, Harry E. Hale, Samuel L. Small, Frank H.  
3 Haynes, Charles M. Foss, Arthur P. Abbott, Charles F.  
4 Bean, and Nathan E. Bucknam, together with such other  
5 persons as are owners, or proprietors of lots in the ceme-  
6 tery of Mount Pleasant, in Dexter in the county of Penob-  
7 scot, are hereby created a corporation, by the name of  
8 The Mount Pleasant Cemetery Corporation.

Sect. 2. Said corporation may take and hold in fee sim-  
2 ple, the grounds of the cemetery of Mount Pleasant, afore-  
3 said, and any other lands that may be convenient for ceme-  
4 tery purposes in the neighborhood thereof, and may also

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

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

Sect. 4. The officers of said 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  
4 be elected annually by ballot at the annual meeting, and  
5 shall hold their offices until others are chosen. The sec-  
6 retary and treasurer may be one and the same person.

Sect. 5. The annual and special meeting of this corpo-  
2 ration shall be holden at such time and place, and such  
3 notice 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  
3 income thereof, under the direction of the executive com-  
4 mittee, for the improvement of said cemetery or any lots  
5 therein, or of any building, structures or fences erected or  
6 being erected upon the lands of said corporation or of any

7 individual proprietor of a lot in the cemetery or cemeteries,  
8 or for the repair, preservation, or removal of any tomb,  
9 monument, gavestone, fence or railing, or other erections  
10 in or around any cemetery lot, or for the planting and  
11 cultivation of trees, shrubs, flowers, or plants in or about  
12 any cemetery lot, according to the terms of such grant,  
13 donation or bequest. The town of Dexter at any regularly  
14 called annual meeting may vote to assign and turn over  
15 to said corporation any or all trust funds held by said town  
16 for the care or the improvement of lots in said cemetery,  
17 and when said funds shall have been turned over to said  
18 corporation in accordance with said vote, said town shall  
19 be forever released from all further liability regarding said  
20 trust funds. The supreme judicial court shall have full  
21 jurisdiction to compel the due performance of any and all  
22 trusts upon a bill filed by a proprietor of any lot for that  
23 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  
3 corporation 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  
10 not be specified in the notice for said meeting. The offi-

12 the annual meeting of said corporation or until others shall  
13 be 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  
2 time 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,  
8 division or dividend thereof, or of any part thereof shall  
9 ever 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.