

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 864

H. P. 1303 House of Representatives, March 17, 1931.

Reported by Mr. McCart from Committee on Judiciary and laid on table to be printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

New Draft of H. P. 587.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTY-ONE

AN ACT to Incorporate the Lubec Cemetery Corporation.

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

Section 1. Edward E. Trecartin, Radcliff B. Pike, Eben H. Bennett, Lizzie D. Pike, Cora B. Mowry, Phoebe S. Saunders, Mame S. Bennett, Wilhelmine G. Reynolds, Lottie Pike, Robert J. Peacock, I. W. Case, B. B. Reynolds; together with such other persons as are owners, or proprietors of lots in the several cemeteries in the town of Lubec, in the county of Washington and state of Maine, or who may later become members of this corporation, are hereby created a corporation, by the name of The Lubec Cemetery Corporation.

Sec. 2. Said corporation may acquire by purchase, gift, or devise, and hold for the purposes of said corporation, the grounds of the Lubec public cemeteries, and any other land that may be convenient for cemetery purposes in the neighborhood thereof, and may in like manner acquire the grounds of any other cemeteries in said town of Lubec, which are now being used for burial purposes all of which to be embraced under said corporate name as aforesaid, and may also take and hold any personal estate not exceeding in value one hundred thousand dollars, to be applied for purposes connected with and appropriate to the objects of said corporation.

Sec. 3. All persons, who are or shall hereafter become own-

ers of lots in said cemeteries, shall be members of this corporation and each member shall be entitled to one vote, and no more, provided, that when the title to any lot is or shall become vested in several persons, said owners shall be entitled, collectively, to one vote and no more.

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

Sec. 5. The annual and special meeting of this corporation shall be holden at such time and at such place, and such notice thereof shall be given as the by-laws shall direct.

Sec. 6. Said corporation may take and hold any grant, donation, or bequest of property, in trust, to apply the income thereof, under the direction of the executive committee, for the improvement of said cemeteries or any lots therein, or of any building, structure or fences erected or to be erected upon the lands of said corporation or of any individual proprietor of a lot in the cemetery or cemeteries, or for the repair, preservation, or removal of any tomb, monument, gravestone, fence or railing, or other erection in or around any cemetery lot, or for the planting and cultivating of trees, shrubs, flowers, or plants in or about any cemetery lot, according to the terms of such grant, donation or bequest. The town of Lubec, at any regularly called annual meeting, may vote to assign, and turn over to said corporation any and all trust funds held by said town of Lubec, for the care or the improvement of lots in said cemetery, and when such funds shall have been turned over to said corporation in accordance with said vote, said town shall be forever released from all further liability regarding said trust funds.

Sec. 7. Any three or more of the persons named in this act shall have authority to call the first meeting of this corporation, by a notice printed in the Lubec Herald, a newspaper published at said Lubec, seven days at least before the time of holding such meeting, specifying the time and place thereof; and at such meeting, or any adjournment thereof, any elections may be had, or any business done which are herein authorized to be had and done at any annual meeting, although

the same may not be specified in the notice for said meeting. The officers chosen at said meeting shall continue in office until the annual meeting of said corporation or until others shall be chosen in their stead.

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

Sec. 9. All property held by this corporation at any time, and all money resulting from sales thereof, or of which said corporation may be otherwise possessed, shall be exclusively devoted and applied to the preservation, improvement, embellishment and enlargement of said cemetery or cemeteries and the incidental expenses thereof, forever, and for no other purpose whatever, and no distribution, division or dividend thereof, or of any part thereof shall ever be made among the members or stockholders.

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

Sec. 11. All moneys paid into the treasurer by any person in trust, as provided by the sixth section of this act, shall be invested only in such securities as are lawful for savings banks in the state of Maine, or may be deposited in the savings department of any bank in Maine.

Sec. 12. This act shall take effect only after the town of Lubec, by a majority of the votes cast in a legal meeting of the voters of said town, called and held within two years after its passage, shall approve said act and vote to convey to said corporation its interest in said cemetery or cemeteries.