

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 866

H. P. 1305 House of Representatives, March 17, 1931.

Reported by Mr. Varney from Committee on Judiciary and laid on Table to be printed under Joint Rules.

CLYDE R. CHAPMAN, Clerk.

New Draft of H. P. 590.

STATE OF MAINE

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

AN ACT to Incorporate Berwick Cemetery Association.

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

Section 1. Fred H. Roberts, Samuel S. Mathews, Herbert L. Whitehouse and F. Heman Stillings and other members of a voluntary association now existing in the Town of Berwick, County of York and State of Maine, under the name of Berwick Cemetery Association, and their associates and assigns, are hereby constituted a body politic and corporate by the name of the Berwick Cemetery Association for the purpose of acquiring, holding, controlling, caring for and improving the grounds set apart and used for burial purposes, situate in the Town of Berwick in the County of York and State of Maine, and said Corporation shall have all the powers and privileges and be subject to all the duties, restrictions and liabilities contained in the general laws existing and which may hereafter be in force relating to such corporations, except that said corporation shall be permitted and is empowered to hold property by purchase, gift, devise, or bequest, personal or real estate, exceeding in value one hundred thousand dollars.

Sec. 2. Said Corporation is hereby authorized and empowered to take possession and assume legal control of the in-

terest of said Berwick Cemetery Association in what is known as the Evergreen Cemetery in said Town of Berwick and to hold legal title to such property as the said Berwick Cemetery Association may have therein, as well as all other property that may hereafter be acquired in pursuance of this charter, all subject to the rights of individuals therein.

Sec. 3. Said Corporation may acquire by purchase, gift or devise and hold for the purposes of said Corporation land additional to and adjoining said Evergreen Cemetery. Said Corporation may hold such personal property as may be necessary for the purposes of the Corporation and said Corporation is hereby authorized to take and hold any grant, donation or bequest of property upon trust and to apply the same or its income to the improvement and beautifying of said cemetery, or for the construction, repair, preservation, or renewal of any monument, fence or any other structure, in the planting and cultivating of trees, shrubs, or plants, in or around any lot, or the improving of said premises in any other manner or form consistent with the purposes for which said cemetery is established and in accordance with the terms of said grant, donation or bequest.

Sec. 4. The officers of this corporation shall be a board of five trustees, a clerk, a treasurer, and such other officers as its by-laws may prescribe. The clerk and treasurer shall hold their offices for one year from the annual meeting to which they were elected to the next annual meeting of this Corporation. The trustees shall be chosen one each year for a term of five years, except that at the first meeting of this Corporation and upon the acceptance of this charter by the Berwick Cemetery Association the four men above mentioned shall be four of the trustees of this Corporation for the terms as herein enumerated; F. Heman Stillings, trustee for one year; Herbert L. Whitehouse, trustee for two years; Samuel S. Mathews, trustee for three years; Fred H. Roberts, trustee for four years, and one trustee only shall be elected for the period of five years.

Sec. 5. The treasurer of said Corporation shall be required to give bond with sureties in such sums as the board of trustees may deem sufficient and said treasurer shall have reasonable compensation for his services.

Sec. 6. Said Corporation may have a corporate seal to be used in its conveyances and for any of the usual purposes of such a seal and may make and establish such by-laws for the government or its concerns as may be necessary, not inconsistent with the laws of this State.

Sec. 7. All persons who are now members of the Berwick Cemetery Association will become members of this Corporation upon the acceptance of this charter by a vote of the said Berwick Cemetery Association at a meeting duly called for that purpose and all property, both real and personal, then belonging to the said Berwick Cemetery Association shall thereby become the property of this Corporation.

Sec. 8. This act shall take effect when the members of a voluntary association now existing in the Town of Berwick under the name of the Berwick Cemetery Association, shall, at a meeting duly called for that purpose, vote to accept this charter and any one of the incorporators herein named may thereafter call the first meeting of this corporation by posting a notice thereof in two public places in the said Town of Berwick, seven days at least before said meeting.