

# MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

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Legislative Document

No. 334

H. P. 1146

House of Representatives, Feb. 5, 1935.

Referred to Committee on Legal Affairs and 500 copies ordered printed.  
Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Stoddard of Eastport.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-FIVE

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**AN ACT to Incorporate the Eastport Cemetery Corporation.**

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

**Sec. 1. Eastport Cemetery Corporation created.** Annie V. MacNichol, Mrs. Delilah Hutchinson, W. G. Flagg, Mrs. Jessie Brown, Mrs. Nellie Shea, Mrs. Florence Boyden, C. Fred Ferris, Ralph Colwell, Mrs. Grace Bieler, R. C. Emery, John J. Pike, Mrs. Elizabeth Burr; together with such other persons as are owners, or proprietors of lots in the several cemeteries in the city of Eastport, in the county of Washington, or who may later become members of this corporation, are hereby created a corporation, by the name of The Eastport Cemetery Corporation.

**Sec. 2. May acquire property.** Said corporation may acquire by purchase, gift, or devise, and hold for the purposes of said corporation, the grounds of the Eastport 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 city of Eastport, 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 \$100,000, to be applied for purposes connected with and appropriate to the objects of said corporation.

**Sec. 3. Who may become voters.** All persons, who are or shall hereafter become owners of lots in said cemeteries, shall be members of this corporation and each member shall be entitled to 1 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 1 vote and no more.

**Sec. 4. Officers of the corporation.** The officers of this corporation shall be a president, vice-president, secretary, treasurer and an executive committee of not less than 3 nor more than 5 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 1 and the same person.

**Sec. 5. Meetings of the corporation.** The annual and special meetings 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. May hold trust funds.** 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 municipal officers of the city of Eastport, at any regularly called meeting, may vote to assign, and turn over to said corporation any and all trust funds held by said city of Eastport, 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 city shall be forever released from all further liability regarding said trust funds.

**Sec. 7. First meeting of corporation; officers.** Any 3 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 Eastport Sentinel, a newspaper published at said Eastport, 7 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 meet-

ing, 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. Exemption from taxes, etc.** 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. How property shall be managed.** 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. By-laws.** 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. Investment of trust funds.** All moneys paid into the treasurer by any person in trust, as provided by the 6th section of this act, shall be invested only in such securities as are lawful for savings banks in the state, or may be deposited in the savings department of any bank in the state.

**Sec. 12. Effective date of act.** This act shall take effect only after the city of Eastport, by a majority of the votes cast in a legal election of the voters of said city, called and held within 2 years after its passage, shall approve said act and vote to convey to said corporation its interest in said cemetery or cemeteries.