

MAINE STATE LEGISLATURE

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N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 998

S. P. 481

In Senate, March 6, 1941.

Reported by Senator Farris of Kennebec from the Committee on Judiciary and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

AN ACT to Incorporate the Reef Point Gardens Corporation.

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

Sec. 1. Incorporation. Max Farrand, Beatrix Farrant, Serenus B. Rodick, Robert W. Patterson, Albert H. Cunningham, Susan Delano McKelvey, Isabelle M. Stover, and Lawrence Morris, their associates, successors and assigns are hereby incorporated and made a body politic as a charitable and educational corporation with its principal place of business at Bar Harbor, Maine, by the name of The Reef Point Gardens Corporation with the right to have continual succession, a common seal, elect all necessary officers, adopt by-laws not inconsistent with law, and enforce its by-laws by suitable penalties, and in addition thereto to enjoy all other rights, privileges and immunities of legal charitable corporations organized under the provisions of chapter 70 of the revised statutes including the right to sue and be sued.

Sec. 2. May acquire property. The corporation may for its purposes and from any source acquire property, including property to be held upon trust or otherwise, and may take and hold by purchase, grant, gift, devise or bequest or in any other manner, except by eminent domain, real property in all not exceeding \$100,000 owned at any one time, figured upon the value of the property at the time of acquisition, and personal property in any

amount in excess of any limitation imposed by the general law, and may use and dispose of its property as to principal or income and in whole or in part, only for the purposes for which the corporation is organized or to corporations or associations within or without the state of Maine organized for charitable purposes, except that the corporation may and shall sell or otherwise dispose of real estate acquired in any manner above designated which it deems not necessary or useful for its purposes. Said corporation shall have no power to and shall not carry on propaganda or otherwise attempt to influence legislation.

Sec. 3. Powers of corporation. The corporation has all the broad powers which now pertain by law to corporations organized for charitable purposes under the provisions of chapter 70 of the revised statutes as the same may be defined by the laws of Maine, and particularly for scientific and educational purposes and in furtherance and not in limitation of the purposes and powers hereinbefore stated, its powers and purposes shall be construed to include, and shall include adding to the knowledge of and encouraging and promoting interest in horticulture, landscape gardening and related subjects and to provide a place and means for accomplishing the same; to acquire property as is provided in section 2 within the bounds of Hancock county or elsewhere within or without the state of Maine for any of its corporate charitable purposes and to hold, develop and improve lands owned at any time for the purpose of making exhibits of scientific and educational value, for the public benefit, of trees, shrubs, herbs and other plants; to experiment and make studies in connection with the growth of plants, including those not native to the region, and to publish reports thereon; to publish studies, illustrations and descriptions of the region's native life and landscape; and to preserve and develop to the full the natural interest and beauty of lands owned at any time; to provide scholarships for study of landscape architecture, horticulture or any other purpose; and to construct, maintain, and operate a museum and library, and places of exhibition or study for any purpose herein mentioned, and operate the same and to charge admission, or to have the same free to the public; to develop a knowledge of plants and horticultural beauty, especially as related to or affected by the plant life of Maine, and in particular of the Island of Mount Desert, and to provide a place and means for accomplishing these purposes; and in addition to any of the powers specifically herein set forth it shall have equally broad powers in connection with any purpose defined as a charitable purpose under the general laws of Maine.

Sec. 4. No compensation to officials. No officer, member or employee

of this corporation shall receive or be lawfully entitled to receive any pecuniary profit from the operations thereof, except reasonable compensation for services in effecting one or more of its purposes. The governing board of trustees shall be entitled to reimbursement for all reasonable expenditures, but shall receive no compensation for their services.

Sec. 5. First meeting. The first meeting of said corporation shall be called by a notice signed by one of the incorporators hereinbefore named stating the time and place thereof, and mailed to each of the incorporators at his usual place of business or residence. No notice shall be necessary to such of the incorporators as shall in writing waive notice of said meeting. At such first meeting, said incorporators or a majority of them, shall effect an organization in the same manner as if proceeding under the aforesaid chapter 70 of the revised statutes, except insofar as the procedure prescribed by such chapter may be inconsistent with the terms of this act.

Sec. 6. Certificates to be filed. Before commencing business a majority of the directors or trustees of this corporation shall file certificates as provided for by section 4 of chapter 70 of the revised statutes.