# CONSTITUTION 

## BY-LAWS

# Glmwood emetery 

Company.

> SHERBROOKE,
> P. Q.

## $\Rightarrow$ CONSTITUTION:

1. The name of the said Company shall be "The Elmwood Cemetery Company of Sherbrooke.'
2. The annual meeting of the said Company shall be held at the hour of three o'clock in the afternoon on the second Monday of the month of June of each vear.
3. The Company shall be composed of Members and Bondholders.
4. Members shall be all persons who shall have purchased and who own burial lots in said Cemetery, containing at least one hundred superficial feet in extent.
5. Bondholders shall be all persons who may have advanced the sum of one hundred dollars or upwards towards acquiring said land, and providing the necessary capital of said Company, and their rights and qualifications as such Bondholders shall be evidenced by Bonds signed by the President and Secretary of said Company, each of which Bonds shall be of the denomination of one hundred dollars, and shall bear interest from the date of the issue thereof.
6. Members may also be Bondholders, and as such shall have all the rights of Bondholders, in addition to the rights of ordinary Members.
7. The affairs of the Company shall be administered by elevən Trustees, six of whom shall be elected annually from among the Members of the Company at the annual meeting of the Company, and the other five of whom shall be annually elected also from among the members of the Company as follows, namely: one by each of the following religious societies of the City of Sherbrouke, to wit,--Episcopalian, Congregational, Presbyterian, Methodist and Baptist Societies. In the event of any of the Societies named failing to give notice to the Secretary of the Company in any year, before the date of the annual meeting of the Company, of the appointment by said Society of a Trustee, the Members and Bondholders present at the annual meeting shall elect an additional Trustee to supply the vacancy thereby created.
8. The eleven Trustees chosen and appointed, as set forth in the
preceding article, shall hold office until their successors shall have been elected and appointed in a similar manner.
9. At all meetings of the Company members shall be entitled to one vote for each lot of not less than one hundred superficial feet owned by him in the said Cemetery, on which all annual charges shall have been paid. No member, however, shall be entitled to more than four votes.
10. Bondholders shall also be entitled to vote at all meetings of the Company, and as such shall be entitled to a vote for each Bond held by them at the date of said meeting, which shall not have been fully paid or redeemed by said Company.
11. The said Trustees shall annually elect one of their number to be for the ensuing year the President of the said Company, and he shall hold office until his successor shall have been named and appointed.
12. The said Trustees shall also annually elect one of their number to be and act ast he Vice-President of the said Company for the ensuing year.
13. All persons of major age receiving a deed of one or more lots comprising not less than one hundred superficial feet in said Cemetery, shall thereupon become members of said Company, but said membership shall continue only so long as the lots in question shall remain their property.
14. The Trustees shall have the right by a majority of votes to expel any members for violation of the rules of the Company, or for non-payment of annual dues, but said expulsion shall not affect or alienate the said persons' rights as owners of the lots which they may then own.
15. All receipts from sales of lots in said Cemetery shall be kept in a separate fund, and be used only as follows: Firstly, to pay interest and principal of all Bonds issued on or before the first day of August, eighteen hundred and ninety ; secondly, to pay any bonds or interest of later issue ; thirdly, any amount accruing from this source not required for the payment of Bonds and interest in the order named shall be permanently invested at interest by the Trustees, and the interest only upon such funds shall be applied towards the annual maintenance of the Cemetery and no bonds shall be issued after the first day of August, 1890, or shall be paid from this fund, unless the issue of the same has been sanctioned at a special meeting of members and bondholders called for that purpose, and all funds derived from the issue of bonds shall be expended only for permanent improvements not properly chargeable to annual care and maintenance of the Cemetery. No bonds at any time shall be a lien upon the real estate of the Company, nor shall be collectable against the assets of the Company, except money in hand received from sales of Lots. Each bondholder shall be entitled to select such lot or lots as shall be reasonably sufficient in the opinion of the Trustees for his family use and the members thereof, at the established rates fixed by the Trustees, and the Bondholder shall have the right to apply the same in part payment of the Bond or Bonds by him held and owned.
16. Each member or owner of lot in the said Cemetery shall pay on
or before the first day of May in each year, the sum of two cents per square foot of the lot or lots standing in his name, for the care and maintenance of the same, together with the roads and avenues in the said Cemetery, and no member shall be entitled to vote at any of the meetings of said Company if he is in arrears in said payments. The said payments shall be expended by the Trustees, or by officers by them appointed, for keeping the said lots and the roadways and approaches thereto in order, as in their judgment or in the judgment of the officers appointed by them may be best in the general interest of the said Cemetery.
17. If any member or other person fails to pay his annual charge, as defined in the preceding by-law, for a term of five years, the lot or lots upon which said arrears are due or any portion thereof in which no interments have been made, shall become forfeited and revert to the said Company, who, however, shall have no right under any circumstances to confiscate any portion of any lot in which interments shall have been made.
18. The Company shall have the right to sue and collect the annual amounts due by lot owners, to enter either by themselves or their duly appointed officers upon all lots in said Cemetery for the purpose of caring for the same, and to remove any trees, shrubs. roots or branches, monuments, effigy, railing or enclosure, or any structure or inscription which the Trustees may consider objectionable or injurious to the general appearance of the Cemetery, or which may in their judgment interfere with the right of surrounding lot owners, provided that such removal shall only be made after the owner (if living) has been notified one month prior thereto of the intention of the Trustees to make such removal.
19. No lot shall be used for any other purpose than for the interment of the dead.
20. Proprietors of lots who wish to erect thereon any enclosure or monument of any kind shall first notify the Trustees or officers appointed by them, and if required shall submit a drawing or plan of such intended erection, and no erection shall be permitted to be made which shall have met with the disapproval of the Trustees then in office.
21. The Trustees shall have the right to make such regulations for the care of the Cemetery and for the use of its driveways, walks and common property, and for the arrangement of the grounds as they may deem best, and from time to time to alter the same, provided they be consistent with the free access of all lot holders to the property owned by them, during the hours of daylight, which hours shall be defined by regulation of the Trustees.
22. The Trustees shall have power to fix sizes and prices of all lots, and all locations in the said Cemetery, and to alter the same as from time
to time they may deem advisable or necessary in the interests of the said Cemetery.
23. The said Trustees shall have power to fix and alter the annual charges to be paid for the maintenance of each lot, but the same shall always be made on the basis of a price per superficial foot of the land owned by each proprietor, and not to exceed three cents for each superfisial foot annually.
24. The Trustees shall have power to lay out the Cemetery into lots and graves, and to determine the size of family lots.
25. Family lots shall be such as shall be set apart by the Trustees for that purpose, and shall contain such area of land as may be determined by the Trustees, not less than one hundred superficial feet.
26. Special meetings of the Company may be called by the President, or in his absence by the Vice-President and Secretary of the said Company, at such date and hour as they may see fit, provided one week's previous notice thereof shall have been given by advertisement in an English newspaper published in the City of Sherbrooke, or by registered letter addressed to each of the members of said Company.
27. No person not a member of the Company, shall be eligible for the office of Trustee.
28. In the case of failure to hold the annual general meeting on the date upon which, by the Constitution, it should be held, it shall be the duty of the President, or in his absence the Vice President or Secretary, to appoint, as soon as practicable after said date, some other day on which the meeting shall take place.
29. The President, and in his absence the Vice-President, shall preside at the annual general meeting, and at all meetings of the Company and of the Trustees
30. In the event of the refusal of the President and of the VicePresident or Secretary, as the case may be, to call special meetings of the Company when desired by at least twenty members, a special general meeting may be called by any twenty members of the Company, by giving the notice required by these by-laws.
31. Quarterly meetings of the Trustees shall be held at such place as may from time to time be selected by the President or Vice-President, on the first Monday in each of the months of March, June, September and December of each year.
32. Special meetings of the Trustees may be called by the President, and on the requisition in writing of any three of the Trustees it shall be his duty to call a meeting, and no such special meeting shall be valid unless at least two days notice in writing shall have been previously sent to the Trustees through the Post Office, or unless at least seven Trustees shall be present thereat.
33. Trustees shall have power to appoint a Secretary and also a Treasurer, and their duties and remuneration shall be determined by the Trustees, in accordance with the by-laws.
34. The same person may be appointed to the office of Secretary and Treasurer.
35. It shall be the duty of the Secretary to attend all meetings of Trustees and the Company, and keep a faithful record of their doings, and generally to act under the order of the Trustees and of the President.
36. It will be the duty of the Treasurer to lay before the Trustees at their quarterly meetings an abstract of the state of the Company's funds, and submit to the annual general meeting of the Company an account or statement in writing of the pecuniary affairs of the Company, showing the receipts and expenditures during the past year, and a balance sheet showing the liabilities and assets.
37. The Trustees shall also have power to appoint a Superintendent of said Cemetery, and such other officers as they may deem necessary for the proper management of the same, and from time to time to fix the duties of such officers and their remuneration therefor, as they may see fit.
