

ACT NO. 411 of LOCAL ACTS, 1897

AN ACT to provide for a joint cemetery board for the townships of Little Traverse and West Traverse and the village of Harbor Springs, in the county of Emmet, and to regulate the powers and duties, thereof.

Section 1. Organization of Board

The people of the State of Michigan enact, That one person appointed by the township board of Little Traverse, to serve from the date of appointment, until the first Monday of May nineteen hundred; one person appointed by the township board of West Traverse, to serve from the date of appointment until the first Monday of May eighteen hundred and ninety-nine; and one person appointed by the president of the village of Harbor Springs, by and with the consent of the board of trustees to serve from the date of appointment until the first Monday of May eighteen hundred and ninety-eight, or until their successors shall have been appointed and enter upon the duties of their office; and before the expiration of their several terms, the respective boards, and the president of the village of Harbor Springs by and with the consent of the board of trustees, shall, on or before the first Monday in April, appoint persons to serve as follows: The township board of Little Traverse shall appoint one person to serve for the term of three years, and a successor each third year thereafter to serve for a like term: The township board of West Traverse shall appoint one person to serve for the term of three years, and a successor each third year thereafter to serve for a like term: The president of the village of Harbor Springs, by and with the consent of the board of trustees, shall appoint a person to serve for the term of three years, and a successor every third year thereafter to serve for a like term, on or before the first Monday of April of the (years) year when such term of office expires. Any appointment which for any cause shall not be made on or before the first Monday in April, may be made at any subsequent regular meeting, or special meeting called for that purpose; but such appointments, whenever made, shall be assumed to date from said first Monday in May. The said persons are hereby constituted members of a board to be known and designated as "The Lakeview Cemetery Board", which shall be a corporate body, for the townships aforesaid and the village of Harbor Springs. All vacancies in the above named offices shall be filled in like manner. Acceptance of such appointment shall be in writing and filed with township clerks or village clerk.

Section 2. Organization

Said board shall organize by electing a president, secretary and treasurer, who shall perform such duties as usually pertain to such offices, respectively.

Section 3. Quorum, etc.

Any two members of said board shall constitute a quorum for the transaction of business, and in the absence of the president, may designate one of their number as president pro tem who shall

perform the duties of the president, and in the absence of the secretary, may designate one of their number as secretary pro tem, who shall perform the duties of secretary.

Section 4. Meetings of the Board

Said Board shall meet at least twice each year for the transaction of business; one of said meetings shall be held in the second week of May, and said board shall at such meeting determine upon the amount of money, if any, to be raised for cemetery purposes the next ensuing year, and apportion the same to the said townships, pro rata, according to the last assessed valuation thereof, the same to be reported to the townships of Little Traverse and West Traverse for assessment and collection in the next assessment roll of said townships, and when collected, said moneys to be paid over to the treasurer of said cemetery board.

Section 5. Powers of the Board

Said Board shall have full control and management of the cemetery, located on section eleven in township thirty-five north of range six west, county of Emmet, known as “Lake View Cemetery”, and shall take charge of the same when this act shall take effect.

Section 6. Board to Have the Care and Management of Cemetery

Said Board shall have the care and management of said cemetery or burial place, and shall direct the improvement and embellishments of the grounds, cause such premises to be laid out into lots, avenues and walks, named and suitable maps and plats thereof to be made, one to be filed in the office of the secretary of said board for public inspection. The board shall fix the price of lots, and the conveyance of certificates of sale of such lots shall be executed by the secretary thereof for and in behalf of said board, and countersigned by the president of said board.

Section 7. Board to Appoint Employees and Make Rules

Said Board shall appoint the necessary superintendent, sextons, undertakers and employees for the cemetery, and adopt rules and regulations for the guidance and conduct of its subordinates and employees, expend the money provided for the care and improvements of the grounds and enforce such rules and regulations as may be established by the board for the government and control thereof, and make such regulations for the burial of the dead, care and protection of the grounds, monuments and appurtenances of the cemetery, and the orderly conduct of persons visiting the ground as may be necessary and not inconsistent with the laws of the state.

Section 8. Duties of the Secretary and Treasurer

It shall be the duty of the secretary to keep a true account of the moneys received and disbursed by said board, and to draw orders on the treasurer for payment of moneys when ordered by the board, and it shall be the duty of the treasurer to pay all such orders, when countersigned by the

president, out of any moneys in his hands belonging to the cemetery fund, and to pay none of said moneys except on said vouchers.

Section 9. Duties of the Treasurer

The treasurer shall have custody of all moneys and evidences of value. He shall receive all moneys belonging to and receivable by the cemetery board, and keep and account of all receipts and expenditures thereof, and shall exhibit the same to the board as often as may be required. The treasurer shall give a bond to the Lake View Cemetery Board in such sum and with such sureties as may be required and approved by said board, and shall settle with said board once in each year.

Section 10. “The Cemetery Fund”

All moneys now in the hands of township treasurers for cemetery purposes, derived from taxation or the sale of cemetery lots, shall be paid over to the treasurer of said cemetery board, who shall have the custody of all moneys collected for or on account of said cemetery, from taxation, assessments or received for the sale of lots or otherwise, and the same shall constitute a fund to be known and denominated “The Cemetery Fund”. Said fund shall not be devoted to any purpose except the purchase of additional grounds for cemetery purposes, and the said treasurer shall pay out no money except in pursuance of and by authority of law and upon orders signed by the secretary and countersigned by the president. Said board shall make detailed statements of the receipts and disbursements thereof, at least once a year, not later than the second week in May, and file a copy with each of the clerks of the foresaid townships.

Section 11. Boards of Health

The boards of health of the townships of Little Traverse and West Traverse shall each transfer and turn over all accounts receivable, plats, books, papers, tools, and implements, pertaining and belonging to said cemetery, to the “Lake View Cemetery Board”.

Section 12. Other Powers of the Board

Said cemetery board shall have all the powers and privileges conferred upon township boards of health for the government, control and management of the cemeteries, by the laws of this State, not otherwise herein provided for, but said cemetery board shall be governed by the general laws of the State.

Section 13. Removal from Office

The (townships) township may remove any member appointed by its own body, for inattention to duties, want of proper judgment, skill or taste, for the proper discharge of duties required of him, or other good cause. Said board shall serve without compensation.

This act is order to take immediate effect.

Approved April 28, 1897.