

By-Laws of the Association of Oak Hill Cemetery

Nashua, Chickasaw County, Iowa



**OAK HILL CEMETERY ASSOCIATION
NASHUA, CHICKASAW COUNTY, IOWA**

BY-LAWS OF THE ASSOCIATION- *(Adopted OCTOBER 1, 1965.)*

The Association shall elect its officers annually on the first Monday in December.

BY-LAW #1 - Elections

Election may be held in day time or evening.

BY-LAW #2 - Officer Terms

All officers of this Association shall hold their office for one year and until their successor be elected and qualified.

BY-LAW #3 - Notice of Elections

The Secretary shall give at least ten days notice of said election by posting notice. One on the entrance gate to the cemetery and three notices in three public places in the village of Nashua, stating when and where said meeting will be held and at what time.

BY-LAW #4 - Duty of Officer

Said officers, when elected and qualified, shall be a board, who shall have the control and management of the affairs and funds of the Association.

BY-LAW #5 - Quorum

A majority of the Board of Officers shall be a quorum for the transaction of business, but no tax shall be levied on the Association unless the whole Board be present and two thirds of the whole Board vote the tax.

BY-LAW #6 - Vacancy on Board

Whenever a vacancy be made in the Board, by death, resignation or neglect to serve, the Board may appoint one to fill the vacancy.

BY-LAW #7 - Requirement for Board Membership

No one shall be a member of the Board after their first year, who is not a member of the Association. Every owner of a lot shall be a member of said Association, and have one vote, but no member shall have more than one vote.

BY-LAW #8 - Dissolve Election

In case it shall happen at any time that our election of officers shall not be made on the day designated by these by-laws, said Association for that cause shall not be dissolved, but said Association may elect a Board of officers on any other day. And the then acting secretary, giving the same notice in the same way that the by-laws of this Association require for the annual election of officers.

BY-LAW #9 - Annual Election

In case there shall be no secretary then the president shall give the notice. If there is no president, then one of the trustees may give the notice. If there are no trustees, any other officer. If there are no officers, any member of the Association may give the notice for the annual election of officers.

BY-LAW #10 - Treasurer Duties

The treasurer shall give bonds, when requires the Association, in the sum as the Board shall require.

BY-LAW #11-Treasurer & Finances

He shall keep and receive all money coming to him belonging to the Association until called for in the manner prescribed by the by-laws.

BY-LAW #12 - Treasurer custodian of Record Keeping

He shall be the custodian of all the bills, due bills, drafts, and other evidence of money. He shall keep a cash book in which he shall enter in proper form, the amount of money received and paid out, from what source received, and to whom and what for paid out. He shall keep a warrant book in which he shall enter the date and

number of every warrant by him paid, the amount paid, to whom given, to whom paid and when paid.

BY-LAW #13 - Treasurer, Stipulation of Payment I.

He shall not pay any order or warrant unless it is signed by the president and secretary.

BY-LAW #14 - Treasury Reports

He shall report annually at the time for election of officers, the amount of money received by him and the amount paid out during the year and the amount remaining in the treasury.

BY-LAW #15- Treasurer, Stipulation of Payment II.

No money shall be paid out by the treasurer except upon a warrant signed by the president and secretary.

BY-LAW #16 - Warrants to be Valid

All warrants to be valid, must be numbered, dated, specify to whom drawn, to who made payable, and for what amount and be signed by the president and secretary of the Association.

BY-LAW #17 - Duties of the Secretary

The secretary shall be the clerk of the Board, shall do all the writing for the Board and Association. He shall make a record of all deeds given by the Association for lots sold, in a book to be furnished by the Association for that purpose. Entering therein, the name of the person or persons buying, the date of the deed, the time of filing, the number of the lots and block, and the amount the lot was sold for.

BY-LAW #18 - Secretary issue Abstract of Title

He shall give an abstract of title to any person applying for one, upon their paying him for such fee, as the Board shall establish.

BY-LAW #19 - Secretary to Draw Warrant

He shall draw all warrants on the Treasurer and make all deeds. He shall enter in a suitable book, to be furnished by the Association, the number, date and amount of each and every warrant by him, drawn in whose favor, and for what amount.

BY-LAW #20 - Secretary to keep Minutes of Meetings

He shall keep a journal record of all the doings and business proceedings of the Board and Association.

BY-LAW #21 - Secretary Records open to Members

His books shall be open and free to all persons belonging to the Association to examine.

BY-LAW #22 - Secretary Give Bonds

He shall, when required by the Board, give bonds and such sum as the Board shall establish, with sureties to be approved by the Board.

BY-LAW #23 - Duties of the Sexton

The Sexton shall have special care of the burying ground - when in closed, shall see that the fences are kept up and in good order. He shall dig all the graves and fill the same, receiving there for such fees as the Board shall establish; parties having graves dug, paying for the same.

BY-LAW #24 - Sexton care for Cemetery Gate

He shall open and close gate at entrance for visitors. Accompany them over the grounds, seeing that they violate no by-law or regulation of the Board or Association.

BY-LAW #25 - Sexton to regulate Animals on Grounds

Shall see that no dog or animal of any kind is running over the ground.

BY-LAW #26 - Sexton Compensation

He shall receive such compensation for services rendered and time spent on the grounds as Board shall establish.

BY-LAW #27 - Duties of Trustees

The Trustees and President, collectively or singly, shall superintend the fencing, plotting, grading and

embellishing the ground, plotting the same into lots, and do from time to time such other work as shall be necessary, or the Board or Association may require, the Association paying them for the service rendered, such amount as the Board shall allow.

BY-LAW #28 - Trustees Term of Office

Trustees shall hold their offices for three years, after the first and second years.

BY-LAW #29 - Trustees Casting lots

Trustees, for the first year, shall cast lots for tenure, one drawing for one year, one drawing for two years, one drawing for three years.

BY-LAW #30 - Trustee Elections

After the first year, there shall be one Trustee elected each year, who shall hold for three years and until his successor is elected and qualified.

BY-LAW #31 - Duties of the President

The President shall preside at all meetings of the Board and Association.

BY-LAW #32 - President casting Votes

In the Board, he shall have only a casting vote, where there is a tie vote in the Board.

BY-LAW #33 - President as By-laws Executive

He shall see that all the by-laws, acts, and resolutions of the Board and the Association are properly executed and complied with.

BY-LAW #34 - President designing Deeds & Warrants

He shall sign all deeds given for lots sold, and sign all warrants ordered issued by the Board, before the same are binding and valid on the Association.

BY-LAW #35 - Offices of Officers

All officers of the Association shall receive such compensation for service rendered and material furnished as the Board shall allow.

BY-LAW #36 - Validity of Deeds

Deeds of lots to be valid and binding, must be signed by the President and Secretary and be recorded in the book of records of the Association, the person or persons paying for the recording of a deed such fee as the Board shall establish.

BY-LAW #37 - Claims against the Association

All claims and demands against the Association must be presented by a bill signed by the person or persons claiming.

BY-LAW #38 - Duties of Board Members

The Board shall have the exclusive care and control of the Cemetery grounds, any other property belonging to the Association, both real and personal. Shall plot and lay out the ground or employ a suitable person or persons to plot the same.

BY-LAW #39 - Board Audit Clause

They shall audit and allow all just claims against the Association, and authorize the President and secretary to issue a warrant on the treasurer for the amount allowed.

BY-LAW #40 - Board to provide Record Books

They may, and shall, from any money belonging to the Association, procure suitable books for the secretary and treasurer.

BY-LAW #41 - Board to establish Prices of Lots

They shall establish the price of lots and the mode of selling, the fees for digging the grave and filling the same, the price for taking up a grave to be moved away, the price for taking up and re-burying on the same on another lot.

BY-LAW #42 - Board to set Price of Material & Labor

They shall establish the price of material furnished and services rendered in burying, or aiding and assisting to bury the dead.

BY-LAW #43 - Board to Require Bonds

They shall require the secretary and treasurer to give bonds to the Association for the faithful performance of duties required of them.

BY-LAW #44 - Board to fill Vacancy of Board Member

They shall have power to appoint from the Association to fill vacancies in the Board.

BY-LAW #45 - Board Financial Report

They shall, at the annual election of officers, report to the Association the receipts and expenditures for the past year, the amount of money in the Treasury, if any. The amount due the Association, its indebtedness, and such other matters and make such suggestions as they may think material and beneficial to the Association.

BY-LAW #46 - Board to Review Finances

They shall examine the books of the secretary from time to time, making settlement with them and seeing that their books and accounts are properly kept.

BY-LAW #47 - Required Meetings

The Board shall hold two regular meetings in each year. One the first Saturday in March; the second the first Saturday in September.

BY-LAW #48 - Additional Meetings

They may hold such other meetings as they see fit or may be necessary, but they shall levy no tax except at one of the regular meetings.

BY-LAW #49 - Amendments

They may amend, add to or take from the by-laws at any regular meeting of the Board, but at no other.

BY-LAW #50 - Plotting Graves

They shall, after plotting the ground, offer them for sale and sell them for cash.

BY-LAW #51 - Maintain Cemetery Grounds

They shall apply all money belonging to the Association, after paying for the land and all necessary expenses, to cleaning, fencing, grading and embellishing the grounds.

BY-LAW #52 - Posting Regulations

They shall have posted all by-laws and regulations, affecting the right of visitors on the grounds, and keep them posted in conspicuous places on the ground.

BY-LAW #53 - Fines

They may impose fines upon any or all who violate any by-law or regulation of the ground and collect the same by civil suit before any court having jurisdiction.

BY-LAW #54 - Deposit of Fines

All fines, when paid, shall go into the treasury for the benefit of the Association.

BY-LAW #55 - Rights Reserved to the Board

The Association hereby reserves the right for the Board to determine the manner of enclosing the burying ground, the manner of burying the dead, setting grave stones, monuments, fences, ornamental trees, and all other ornaments and fixtures that parties owning lots may wish to put or have put upon their lot or lots; and they further reserve the right to levy a tax upon the said land for the purpose of defraying the ordinary expenses of the Association, when in their opinion, the same shall be necessary, and they further reserve the right to control the lands, grounds, enclosures, lots and chattels of the Association; to fix the hour of opening

the same for visitors; to make such regulations concerning the same as to them from time to time seem fit and proper. But no other use shall be made of the ground, except as a burial place for the dead.

Resolution

Be it Resolved by the Board of Officers of Oak Hill Cemetery Association, of Nashua, Iowa.

I. That an Endowment Fund be created for the purpose of furnishing a revenue to help defray the ordinary expenses of the said Association.

II. That said Endowment Fund be created as follows, to-wit: Any member of the Association may elect, in lieu of the taxes usually levied against his lot or lots, to pay into the Treasury of the Association the sum of Twenty-five Dollars (\$25.) (**\$30.00**) for each lot owned by him (being \$50. (**\$60,00**)) for each block so owned) and said payment, when made by him, shall thereafter stand in lieu of any further levy or tax upon the said lot or lots paid on by him, his heirs and assigns, and he shall, as to said lot or lots, be exempt from any further tax to defray the ordinary expenses of the Association, for all time to come.

III. The amounts so received from members who elect to pay in said way, in lieu of future levies upon their lots, shall be set aside and constitute an endowment fund, the interest, only, of which may be used. The principle of said fund shall be kept invested by the treasurer in such way as to yield at least ___ per cent interest per annum, and shall be kept sacred and intact for the purposes herein provided, and shall not be mingled with the other funds of the Association.

IV. The interest of said Endowment Fund shall be used to help defray the ordinary expenses of the Association as above provided and stand in lieu of the annual taxes and levies against the lots exempted from taxation.