

APPENDIXES

A. CHAPTER 254 OF THE ACTS OF 1908

Chap.254 AN ACT TO INCORPORATE THE JACOB SEARS MEMORIAL LIBRARY.

Be it enacted, etc., as follows:

The Jacob
Sears Memorial
Library in-
corporated.

SECTION 1. Henry H. Sears, C. Walter Hall and Prince M. Crowell, of the town of Dennis, and their successors, are hereby made a corporation under the name of The Jacob Sears Memorial Library, for the purpose of maintaining in that part of the town of Dennis known as Quivet Neck, the library and other charities of which they are trustees under the will of Jacob Sears, late of Dennis, and under a decree of the supreme judicial court establishing the said will and trust. The said corporation shall have all the powers and privileges and be subject to all the duties, restrictions and liabilities contained in all general laws now or hereafter in force relating to like corporations.

Vacancies.

SECTION 2. Any vacancy arising among the said incorporators, who shall be called trustees, or their successors, shall be filled by appointment of the judge of probate and insolvency for the county of Barnstable. The said judge may also, after notice and a public hearing, remove any of said trustees or their successors for cause shown, and may fill the vacancy so caused in the manner aforesaid.

Income to be
expended for
certain pur-
poses.

SECTION 3. The real estate and all other property now held by the said trustees shall become the property of the corporation hereby created. The income of the said property shall be expended as follows: —

First, for the expenses of said trust.

Second, for establishing and maintaining a library.

Third, for the instruction of classes in music, or in such other branches of study as are not taught in the public schools in said Dennis.

Fourth, for courses of lectures to be given from time to time in the hall of said library.

The said classes of instruction and lectures shall be for the free use and benefit of the inhabitants of Dennis, under such reasonable regulations as from time to time may be made by the trustees.

SECTION 4. The inhabitants of said Quivet Neck, including as such all persons of and above the age of twenty-one years, male and female, who have resided in that part of Dennis known as Quivet Neck for the period of one year before the time of the holding of the meetings hereinafter provided for, may elect by ballot annually a committee of five, who shall not be any of said trustees or their successors, and who shall be such inhabitants of Quivet Neck, the duties of which committee shall be to advise with the trustees as to the administration of the said trust. Such meetings of the inhabitants shall be held annually upon Quivet Neck in the month of May, at such time and place as shall be determined by the trustees, and may be adjourned from time to time by vote of the voters present thereat. The meetings shall be notified by the trustees by notice posted in more than one public place upon said Quivet Neck, including the outer door of said library building, at least seven days before the time of holding the meeting. The trustees shall determine the right to vote of any person claiming that right in said meeting; and one of the trustees, selected by themselves, shall preside at all such meetings. Said meetings shall be further organized by the election of a clerk, who shall be sworn, and whose duty it shall be to keep and preserve a record of the proceedings of the meetings. The trustees shall submit to said meetings a detailed report of their receipts and expenditures for the year next preceding. The advisory committee of five so chosen by said annual meetings shall advise with the trustees concerning the administration of the trust. They may fix the proportion of the income of the trust which shall be expended respectively for the second, third and fourth objects hereinbefore named; they may select the books to be purchased for said library; and may determine upon the courses of instruction and of lectures which shall be given in said hall.

Advisory committee, election, duties, etc.

Meetings, etc.

They shall audit the accounts of the trustees, which accounts shall be kept in due form, and shall be open at all times to the inspection of the committee, or of any member thereof. They shall determine from time to time the compensation, if any, which the trustees shall receive for their services. But the trustees shall have the right to have the settlement of their accounts and the amount of their compensation determined by the court, in case they are dissatisfied with the action of said committee. The acts of a majority of the trustees shall be the acts of the trustees; and the acts of a majority of the said committee shall be the acts of the committee.

Compensation
of trustees.

SECTION 5. Said corporation shall have authority to receive, hold and apply to the uses of the corporation any other property, real or personal, which may be given or bequeathed to it, and to use the same for the objects herein set forth, subject to any restrictions, not inconsistent with this act, which are imposed by the donor or testator.

May hold, etc.,
real and per-
sonal property.

SECTION 6. The said corporation shall have power to do all acts necessary or proper to carry out the provisions of this act.

Power of cor-
poration.

SECTION 7. The town of Dennis is hereby authorized to convey to the said corporation all its right, title and interest in the free public library on condition that it shall be maintained free to all the people of the town.

Certain prop-
erty may be
conveyed to
said corpora-
tion.

SECTION 8. This act shall take effect upon its passage.

Approved March 20, 1908.

B. CHAPTER 119 OF THE ACTS OF 2004

AN ACT RELATIVE TO THE JACOB SEARS MEMORIAL LIBRARY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 254 of the acts of 1908 is hereby amended by striking out section 2 and inserting in place thereof the following section:-

Section 2. The 3 trustees, all of whom shall be residents of what is commonly known as Quivet Neck, in the town of Dennis, shall be elected by a vote of the residents of Quivet Neck. Each trustee shall be elected for a 3-year term. The terms of office shall be staggered so that 1 trustee's term expires each year. This system of the terms of trustee shall commence at the next annual meeting of the corporation after the effective date of this act. At that meeting, the position of the longest serving trustee shall be subject to election. Then, at the next 2 annual meetings the positions of the 2 remaining trustees shall be subject to election, in sequence, according to their length of service. In the case of a vacancy in an unexpired term, the term shall be filled by election at the next annual meeting or at a specially convened general meeting, for the number of years then remaining in that term.

The first justice of the probate and family court for Barnstable county may, after notice and a public hearing, remove any of the trustees for cause.

SECTION 2. This act shall take effect upon its passage.

Approved June 3, 2004.

C. CHAPTER 221 OF THE ACTS OF 2007

AN ACT RELATIVE TO THE JACOB SEARS MEMORIAL LIBRARY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. The first paragraph of section 2 of chapter 254 of the acts of 1908, as appearing in section 1 of chapter 119 of the acts of 2004, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The 3 trustees, all of whom shall be residents of what is commonly known as East Dennis, in the town of Dennis, shall be elected by a vote of the residents of Quivet Neck.

SECTION 2. Section 4 of said chapter 254 is hereby amended by striking out the first sentence and inserting in place thereof the following 2 sentences:- The inhabitants of Quivet Neck above the age of 18, who have resided in Quivet Neck for a period of 1 year before the time of the meetings described in this section, may elect by ballot annually a committee of 5 inhabitants of East Dennis, who shall not be trustees or their successors. The duties of the committee shall be to advise the trustees as to the administration of the said trust.

SECTION 3. Said chapter 254 is hereby further amended by inserting after section 7 the following section:-

Section 7A. The area of East Dennis shall be defined on an annual basis to comply with the district definition of the Dennis chamber of commerce including, but not limited to, state highway routes 134 and 6A within the defined area.

SECTION 4. This act shall take effect upon its passage

Approved December 28, 2007