

**ST. MARY'S CEMETERY ASSOCIATION**  
**OF JUNCTION CITY, KANSAS**

**Brief History**

**Constitution and By-Laws**

**Rules and Regulations**

**Original Document 1972**

**Amended and Approved November 17, 2019**

**Website: [www.saintxparish.org](http://www.saintxparish.org)**

## BRIEF HISTORY OF ST. MARY'S CEMETRY

St. Mary's Cemetery was founded in 1867 with the first recorded burial being Emma Jehle, a young girl being buried there in 1867. The purchase of the property was made in 1870 when a group of Catholic men led by Mr. Robert Rizer purchased "the described parcel of land beginning at a stone in the center of Section 34, Township 11, Range 7 east of the 6 P M in Geary County, Kansas; thence east 8.50 chains; thence north 8 chains; thence west 3.70 acres north 8 chains; thence west 3.70 chains; thence south 5 chains; to the place of beginning containing 3.70 acres more or less" from a Mr. Philip Reinhart of Bucks County, PA. Mr. Rizer's wife was educated in a Catholic Convent in Washington, D. C. and while neither she nor Mr. Rizer were Catholics she believed in infant baptism and had all of her children baptized by the Catholic Priest serving this area. Four of the children died in infancy and one son died at the age of 20. All five are buried in St. Mary's.

The original cemetery was purchased in the name of Bishop Meige of the Diocese of Leavenworth. When the Junction City parish became part of the Diocese of Concordia, the deed was transferred by Bishop Meige's successor, Bishop Thomas F. Lillis to Bishop Francis J. Tief who in turn transferred it to Bishop Thill when the Diocesan seat was moved to Salina, Kansas.

The Gravestones of the cemetery are marked with the names and dates of the early settlers of the community. The Irish of McDowell and Dry Creek and those settling around Skiddy make up a large segment of the early burials. The names of Catholics born in Austria, France, Germany, Italy and other foreign lands are prominent among the stones. Some of the stones show many of these settlers came into the territory in the 1850's.

In the first 100 years of its existence there has been over 1,000 burials. Some of these have made the Supreme Sacrifice on the battlefields of WW I, WW II, Korea, and Vietnam in order for us the living to enjoy the fruits of this great country.

Probably the best memorial we could make to these who have gone to their just rewards is an epitaph appearing on one of the early stones.

*... Remember Man as You Pass By  
As you are now so once was I . . .  
As I am now, so will you be  
Prepare for Death and follow me.*

**CONSTITUTION AND BY-LAWS  
ST. MARY'S CEMETERY ASSOCIATION OF JUNCTION CITY, KANSAS**

**ARTICLE I  
NAME**

**Section A.**

**The name of this Association shall be the St. Mary's Cemetery Association of Junction City, Kansas.**

**Section B.**

**By the foregoing name it is understood that this Association is a voluntary non-profit non-incorporated body of persons who are interested in the upkeep, maintenance, and perpetual care of the St. Mary's Cemetery of Junction City, Kansas.**

**ARTICLE II  
OBJECT**

**Section A.**

**The objects of this Association are:**

- 1. To provide an organization for St. Mary's Cemetery so that they may act in concert and cooperation with each other in providing funds, labors, and counsels for the permanent upkeep, maintenance, and beautification of the said cemetery so that it may always remain a proper place of sepulcher for the Catholic dead of this area and such of their relatives who, subject to the laws of the Catholic Church, are permitted burial with them though not themselves Catholic.**
- 2. To create a permanent body with trustees for the management of the funds of the Association.**
- 3. To achieve these ends through conformity to the Laws of the Catholic Church and the State of Kansas.**

**ARTICLE III  
MEMBERSHIP**

**Section A.**

**Members are those who own lots or burial sites in St. Mary's Cemetery or those who are members of St. Xavier's Parish. An annual donation of at least \$25.00 is suggested.**

**Section B.**

**It is understood that membership in the Association does not convey automatically the right to Christian burial as such, which is wholly dependent on the rules and regulations governing such matters of the Roman Catholic Church. Doubtful cases will be referred to the authorities of the Roman Catholic Diocese of Salina, the Diocese which governs the area should this be changed for adjudication. If however, burial is refused in any case, a refund of the original cost of the grave to the administrator of estate of the person so refused will be made by the Association.**

**ARTICLE IV  
OFFICERS AND TRUSTEES**

**Section A.**

**Officers and Trustees shall be nominated from local resident members and appointed by the St. Xavier Parish Priest. Officers and Trustees moving from the community, incapacitated for periods of four months by serious illness, fail to fulfill the duties of their office, or who resign or die while serving their terms of office, shall be replaced by nominations from the Board of Trustees and appointed by the St. Xavier Parish Priest for the remainder of the term.**

**Section B.**

**Officers of the Association shall consist of a President, Vice-President, Secretary, Treasurer and four Trustees. The Pastor of St. Xavier's Parish shall serve as an officiate Trustee. The terms of office for the President, Vice-President, Secretary, and Treasurer will be for three years. Trustees will also serve a term of three years. All Officers and Trustees will compose the Board of Trustees and each have an equal vote. Rotation of Board of Trustees occur on alternate years.**

**Section C.**

**The Office of the President will require him/her to call the regular meetings of the Association and to publish the dates, places held, and other pertinent information concerning them in the St. Xavier's Parish Bulletin, website, and/or by pulpit announcement; to direct and supervise the care of the cemetery in accordance with the articles, by-laws, and lawful amendments of the Association; nominate individuals for Officer and Trustee positions; and to preside at all meetings of the Association.**

**Section D.**

**The Office of the Vice-President is responsible for the duties listed above in the absence of the President. The Vice-President will attend all annual and special meetings of the Association.**



#### **Section E.**

**The Office of Secretary will require the keeping of the minutes of the meetings of the Association; handling all correspondence of the organization in conjunction with the Treasurer and under the direction of the President; to help prepare and present the annual appeal; and nominate individuals for Officer and Trustee positions. The Secretary will attend all annual and special meetings of the Association.**

#### **Section F.**

**The Office of Treasurer will require the keeping of the account books of the organization; to take charge of all monies, funds, and securities belonging to the Association; to keep record of all donations; to see that all monies are deposited in accounts or securities as designated by the Officers as provided in "ARTICLE VI EXPENDITURES AND INVESTMENTS OF FUNDS" below; and nominate individuals for Officer and Trustee positions. The Treasurer shall deposit all donations, sale of lots, and contributions specified as given for the particular purpose of increasing the principal in such securities, interest bearing accounts, or like investments (cf. ARTICLE VI "EXPENDITURES AND INVESTMENT OF FUNDS" Section C). Interest from such investments and donations will be deposited in an account called "St. Mary's Cemetery Assn." in the financial institutions chosen to receive these funds. The Treasurer is responsible after an audit is made to address the results at the annual meeting. He/She will write and sign all checks for less than \$2,000.00. Checks of more than \$2,000.00 will require the advance approval of a simple majority of the Board of Trustees. The Treasurer will attend all annual and special meetings of the Association.**

#### **Section G.**

**In case of a mass vacancy of all officers, the Parish Priest caring for St. Xavier's Parish will be empowered to call a meeting and preside as President pro tem of the general membership in the usual prescribed fashion.**

#### **Section H.**

**The Trustees will attend the annual and special meetings of the Association; assist the Officers with special projects; recommend improvements to the cemetery; provide advanced approval of individual expenditures over \$2,000.00; and nominate individuals for Officer and Trustee positions.**

#### **Section I.**

**Direction of all activities of the Association will be the responsibility of the President who may delegate any or all duties to other officers, or other members, provided they are mutually agreed upon and subject to recall.**

## **ARTICLE V MEETINGS**

### **Section A.**

**Regular meeting will be held one time per year and will be published in the Church bulletin, website and/or by pulpit announcement at least on one Sunday of the Month of the meeting.**

### **Section B.**

**At the annual meeting, the Treasurer will submit the Annual Cemetery Report in writing. The Treasurer will also address the review of that report by the Parish Council committee.**

### **Section C.**

**In cases of emergency, the Officers may call a special meeting. Such emergency meetings will be announced from the pulpit to provide members a chance to attend.**

### **Section. D.**

**Members may call for a special meeting by petition of at least 35% of their total number. This signed petition will be validated by the Secretary and Treasurer after checking their records to ascertain the validity of the membership of those signing it.**

## **ARTICLE VI EXPENDITURES AND INVESTMENT OF FUNDS**

### **Section A.**

**Any expenditure of funds exceeding \$2,000.00 shall require the previous vote of approval of the simple majority of the Board of Trustees, but amounts less than that will be at the discretion of the Treasurer as provided above.**

### **Section B.**

**Any expenditure of funds touching the principal at the Salina Diocese set aside for perpetual care of the cemetery of any size whatever will require the approval of the Board of Trustees and Diocese. Perpetual Care money paid prior to the adoption of these by-laws cannot be expended except for interest on them.**

### **Section C.**

**Investment of funds given for continued maintenance shall be made in the highest paying financial institution available, subject to the necessities of full**

insurance on such savings and other necessary safeguards. It will be the responsibility of the Officers to select annually the interest bearing securities it deems advisable or to approve annually whatever company and type of security previously selected. Surplus funds not necessary for ordinary operation may be transferred from the general fund to the interest account/investment at the discretion of the Officers.

## ARTICLE VII AUDITS AND REPORTS

### Section A.

Audits and reports as provided elsewhere in this constitution will be submitted at the annual meeting to each member in written form. Each member will receive a copy if present at the annual meeting and the statement will be complete and detailed. A committee may be selected by the St. Xavier's Parish Council each year to inspect the financial records and Annual Cemetery Report submitted to the Diocese.

## ARTICLE VIII AMENDMENTS OF ARTICLES OF ASSOCIATION

### Section A.

These articles may be amended at any regular meeting of the Association provided the following conditions are met.

1. The proposed amendment has been presented at a previous regular or special meeting which is at least 3 weeks previous to the meeting at which the amendment is voted upon. However, a simple amendment may be reviewed and voted on at any regular meeting; therefore, a second meeting is not required.
2. Said amendment to pass requires two-thirds majority of those members present at the meeting.

## ARTICLE IX EXPULSION

### Section A.

Any Officer/Trustee may be expelled from his/her position and replaced, not by normal rotation but replaced as addressed in ARTICLE IV, Section A.

### Section B.

All Officers and Trustees must retain active membership in the Catholic Church as it is generally understood; otherwise, automatic termination of their office becomes effective.

**ARTICLE X  
ADOPTION OF ARTICLES**

**Section A.**

**These articles are effective upon adoption by the membership at an annual meeting or at a meeting called for this purpose.**

**Section B.**

**Records of all amendments or additional articles and all by-laws must be provided to the Diocese and kept by the Officer-Trustees along with the Secretary's Book of Minutes of Meetings and the Treasurer's Financial Records to guarantee their preservation.**

**Section C.**

**Changes to Rules and Regulations governing burial in the cemetery will be presented and either rejected or accepted at the annual meeting or a special meeting called by the Officers.**



**RULES AND REGULATIONS GOVERNING  
ST. MARY'S CEMETERY LOT OWNERS**

1. All burial lots are sold subject to the rules of this Association now in force or which may hereafter be adopted and shall be used for no other purpose than the burial of the human dead.
2. The cost of each burial lot and marking gravesites shall be determined each year by the Board of Trustees. A deed is provided at the time of purchase and will indicate the amount paid for each burial lot. If the site has been previously paid for, the funeral home should verify this with one of the Officers of the Association.
3. Payment for the opening and closing of graves shall be the responsibility of the funeral home and payment should be made to the funeral home.
4. All lots are sold subject to ordinary care and all work thereon will be done under the direction of the Association.
5. Sale of lots by lot owners is permitted only with the authority of the Officers of the Association. Lots may be donated back to St. Mary's Cemetery Association or sold for the original cost of lot plus a filing fee.
6. For identification purposes, the 4 blocks in the Northwest Section of the Cemetery will be known as Section A. The 4 blocks in the Southwest Section of the Cemetery will be known as Section B. The 2 blocks East of Section A will be known as Section C and the 2 blocks East of Section B will be known as Section D.
7. The owner of each lot shall have the right to erect any proper headstone or monuments thereon subject to the rules described below. Headstones must be installed on a concrete foundation centered on the lot. There shall be a five inch concrete border around each monument.
8. Lot sizes in Section A and B are 5 feet by 12 feet. Lot sizes in Section C and D are 4 feet by 11 feet.
9. Every casket requires a vault.
10. Sarcophagi, mausoleums and columbariums are not permitted. Coverings resting upon the ground over graves will be permitted in Sections A and B with the permission of the Association Officers. Additional small markers, i.e., Mother, Father, etc. are no longer permitted.
11. No planting of trees, shrubs, flowers or borders by individuals will be permitted without approval of Officers of the Association.
12. Artificial flowers not attached to the headstone or in permanent vases will be removed from graves 10 days after major holidays during spring and summer

months. Decorative items that are not part of the headstone, i.e., shepherd hooks, toys, solar lights, etc. must be placed on or immediately adjacent to the concrete foundation.

13. Persons desiring graves in consecutive order shall purchase and pay for them at the same time.

14. Each grave must be marked with a headstone within one year of burial. Headstones are to be placed at the head of the lot with the engraving facing the gravesite. Headstones are not provided by the Association but must meet Association Rules and Regulations. Veteran plaques must be mounted on the back of the headstone effective with the Rules and Regulations dated November 17, 2019. Recommend the military flag stand or shepherd hooks be put in the concrete foundation.

15. One headstone per lot and anyone buried in that lot must have their name on the headstone. One headstone may mark two adjacent lots. One casket and one cremains or two cremains are allowed per lot. Headstones need to be kept in the stone line.