

New Holland, and two in the remainder of said township, and return the names of the persons so elected, to the next court of quarter sessions of said county; two of whom, one in the village of New Holland and one in the remainder of the township, shall be appointed constables for said township, in the same manner, with the like power and authority, and subject to the same regulations and penalties as are provided and contained in the laws now existing or that may hereafter exist, concerning constables in this commonwealth; and the acting constable of said township is authorised and required to give previous notice and to hold the first election under this act: Notice of election.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the fifth section of the act, entitled "An act authorising the election of constables in certain townships, and for other purposes," passed March twenty-ninth, eighteen hundred and twenty-five, which section authorises the election and appointment of an additional constable in Warwick township, Lancaster county, be and the same is hereby repealed. 5th section of act of 29th March, 1825, repealed.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The second day of March, A. D. one thousand eight hundred and thirty-one.

GEO. WOLF.

No. 70.

AN ACT

To incorporate the Union Harmony Burial company of Kensington, in the county of Philadelphia.

SECT. 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the persons constituting the said company, shall be a body politic and corporate in law, with the usual corporate rights and powers, under the name and style of the Union Harmony Burial company of Kensington, and that the following rules, restrictions, limitations and provisions shall form the fundamental articles of the constitution of said corporation, to wit: Association declared a corporate body under following articles.

ARTICLE I. This institution shall be known by the name and style of the Union Harmony Burial company of Kensington. Stylc.

- Members.** **ARTICLE II.** It shall consist of such persons, citizens of this commonwealth, as may be admitted members and comply with the rules hereinafter prescribed, and shall have a common seal with such inscription as may be fixed by the laws.
- Seal, &c.**
- Officers.** **ARTICLE III.** The officers of the company shall be a president, a vice president, secretary and treasurer, and nine managers, of whom the president, vice president, secretary and treasurer shall constitute four.
- Elections.** **ARTICLE IV.** The election of all the officers shall be made by the company, by ballot, at the stated annual meeting, and their term of service commence at the same time, except the first election, which shall take place as soon as a majority of the company shall direct, after the passage of this act; and the officers so elected, shall serve until the first of January, eighteen hundred and thirty-two; at every such election, each share of stock shall entitle the holder to one vote only, and no vote by proxy shall be allowed.
- One vote each share. No votes by proxy.** **ARTICLE V.** The company shall hold their stated annual meetings on the first days of January, in each and every year, unless the same shall happen on Sunday, in which case it shall be held on the Monday following; special meetings shall be held at such times as the board of managers shall agree, or a majority direct, or whenever the president shall be thereto requested at least two days before such meeting, by any two stockholders, in writing.
- Annual and special meetings.** **ARTICLE VI.** The said company shall have power to purchase and hold to them and their successors, such lots or parcels of ground in the district of Kensington, as they may deem necessary for the purposes aforesaid, and according to the provisions and limitations hereinafter expressed and contained: *Provided*, That whenever the company shall receive a profit of more than six per cent. per annum on their capital stock, the balance above that sum shall be paid to the treasurer of the county of Philadelphia, to be applied under the direction of the county commissioners of said county, to the interment of indigent persons, who may die in said county of Philadelphia: *Provided further*, That the said company shall at no time hold more than three acres of land.
- May hold property.** **ARTICLE VII.** That portion of the company's ground intended for its members shall be laid off in lots eleven feet four inches by eight feet, marked with stones or posts planted in each corner and inscribed with the names and number, which said stones or posts shall not exceed twenty inches in height above the ground.
- Profits not to exceed 6 per cent. Excess appropriated. 2d proviso. Not to hold more land than 3 acres.** **ARTICLE VIII.** That portion of the company's ground allotted and intended for the interment of non members, shall also be laid off in regular ranges and spaces.
- Dimensions of lots.**
- Interment of non members.**

ARTICLE IX. The amount to be required of each non member for his or her lot, shall be such as the company shall from time to time direct. Amount of charge.

ARTICLE X. Each share of stock shall entitle the holder to one lot, for which he or she shall receive a certificate deed, signed by the president and attested by the secretary of the company, with the seal of said company affixed thereto, and the same shall be held as a cemetery or burial place to his or her heirs or assigns forever, and to be used for no other purpose, but subject always to the rules and regulations prescribed by the constitution and by-laws of the society. Certificate deeds to be given to each holder of lots.

ARTICLE XI. The form of the certificate deed shall be such as the company shall prescribe by their by-laws. Their form.

ARTICLE XII. The number of each member's lot or cemetery shall be determined by ballot, that is, there shall be as many tickets made out, numbered, rolled up, and put in a box as there are shares; each number that shall be on the ticket drawn, shall be the number of his or her lot: *Nevertheless*, members may, from motives of convenience, and by mutual consent, exchange their lots or cemeteries with each other. Choice by lot.

ARTICLE XIII. A map or plan of the whole ground shall be drawn, showing the number and situation of each member's lot or cemetery: *Also*, The order of ranges allotted for the interment of non members. Plan of cemeteries.

ARTICLE XIV. The said company shall have powers to sell and convey, in the manner prescribed by the tenth article of this constitution. to persons not members of this company, a lot or piece of ground, for a cemetery as aforesaid, to hold to him or her, and his and her heirs and assigns forever: *Provided however*, That should any purchaser, described in this article, sell, transfer or convey his or her lot or cemetery to any person, the transfer of the same shall be endorsed on the certificate deed of said lot or cemetery, and signed by the president and attested by the secretary and the seal of said company, and so toties quoties; subject however, to the same rules as is prescribed by these articles to the stockholders and original purchasers. Sale of lots to non members.
Provido.
Endorsement of transfers on deeds.

ARTICLE XV. No officer of this company shall receive any compensation for his services to the society by virtue of his office. No compensation to officers.

ARTICLE XVI. This company shall have power to remove any officer of this company who may be guilty of mal-practice or improper conduct in his official capacity. Power to remove officers.

ARTICLE XVII. The company shall have power to appoint a president pro tem. at any meeting, in case of the absence of the president and vice president, provided five members be present, who shall constitute a quorum. The vice president shall preside in the absence of the president, if present. President pro tem.
Quorum.

Enactment,
alteration,&c.
of by-laws.

Proviso.
Notice to be
given.

2d proviso.
Reservation
of right to re-
peal.

ARTICLE XVIII. The company shall have power to make by-laws for conducting their business, provided that such by laws shall not be repugnant to the constitution and laws of the United States and of the state of Pennsylvania, or to these articles of association; and they may be passed, altered or amended at any stated meeting of the company, two-thirds of the members agreeing thereto: *Provided however*, That the proposed alteration of any by-law which had been passed and adopted, shall be first stated in writing one meeting previous to its discussions or determination: *And provided further*, That the legislature shall at all times have the right of altering, amending, or repealing this act, when the same shall be deemed necessary.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The third day of March, A. D. one thousand eight hundred and thirty-one.

GEO. WOLF.

No. 71.

AN ACT

Concerning the real estate of John Smiley, deceased.

Disposition of
property by
John Smiley,
an alien made
valid.

SECT. 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the right and title acquired by John Smiley, late of Fallowfield township, in the county of Washington, deceased, in and to the lands situate in this commonwealth, of which he died seized, shall be in all respects as good and perfect as if the said John Smiley had been a citizen of the United States at the time he purchased the same; and the disposition of the said lands, made by the said John Smiley, in and by his last will and testament, shall be as good and valid, to all intents and purposes, as if the said John Smiley had been a citizen of the United States at the time of making the said last will and testament, and at the time of his decease.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The third day of March, A. D. one thousand eight hundred and thirty-one.

GEO. WOLF.