

same may pass, agreeably to the provisions of the act to which this is a supplement.

SECTION 2. That the time for the completion of the said canal, be and is hereby extended for two years, from and after the expiration of the time now allowed for the completion of the same: *Provided however,* That unless the said canal company shall hereafter commence the said canal on or before the first day of September, Anno Domini, one thousand eight hundred and forty-one, and prosecute the same to completion, with due diligence and perseverance, within the time aforesaid, the authorities and privileges granted by the original act of incorporation shall cease and revert to the commonwealth.

SECTION 3. That the said canal shall not, in any manner, interfere with the basin to be or about being constructed in the said borough of Sunbury, by the Danville and Pottsville rail road company, or with the said rail road, without the consent of the company; and the said rail road company shall have the right of draining the water from said basin, into any part of said canal and its appurtenances, and shall not be obstructed from carrying said water into the ravine commonly called the "Gut," on the eastern boundary of the said borough.

SECTION 4. That the said company shall have power to lay out and construct the said canal of the width of one hundred and twenty feet, if they shall deem it expedient.

WM. HOPKINS,

Speaker of the House of Representatives.

W. T. ROGERS,

Speaker of the Senate.

APPROVED—The thirteenth day of April, one thousand eight hundred and forty.

DAVID R. PORTER.

[No. 139.]

A N A C T

To incorporate the Woodland Cemetry company of Philadelphia.

WHEREAS, the practice of crowding the dead into small spaces in popular cities, is repugnant to the feelings and prejudicial to the health of the living, and is becoming yearly more

inconvenient, expensive, and dangerous ; *And whereas*, a num-^{Preamble.}ber of citizens of this commonwealth, hereinafter named, have associated for the purpose of establishing a rural cemetery, at the Woodlands, in the neighborhood of Philadelphia, intending to appropriate the greater proportion thereof for the purpose of interments, whereby the beautiful landscape and scenery of that situation may be perpetually preserved, and its ample space, free circulation of air, and grove of trees afford a security against encroachments upon the dead, and health and solice to the living ; *And whereas*, The said associators have petitioned to be incorporated, with the necessary powers for effecting the important objects aforesaid : Therefore,

SECTION 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 Charles J. Ingersoll, Benjamin Stiles, Thomas Mitchell, Henry Austie, John Lindsay, William E. Lehman, John V. Cowell, Andrew D. Cash, Robert Ewing, William H. Moore, Jacob Lex, Eli K. Price, Philip M. Price, Benjamin G. Mitchell, Charles F. Lex, and Henry Leech, be and they and their successors are hereby made and created a body politic and corporate in law, under the name, style, and title of the Woodlands Cemetery company of Philadelphia, and by that name shall have perpetual succession, and be able and capable in law, to have and use a common seal, to sue and be sued, implead and be impleaded in all courts of law and equity, and to do all such other things as are incident to a corporation.

Corporators.
Name.
Seal.

SECTION 2. That the said corporators shall, at least once in every year hereafter, fill by election by ballot all vacancies which may occur among them, and may, at the same time or at other times, increase and add to their number from those who may be lot holders in the cemetery, so that the said company shall never be reduced to less than ten nor exceed forty members, and they shall have full power to ordain, establish, and put in execution all such by-laws, rules, and regulations, not contrary to the constitution and laws of the United States, or of this state, which may be necessary for the government of this corporation, its officers and affairs, and, until the election of managers, shall exercise all the powers thereof.

Annual election.
By-laws.

SECTION 3. That the said corporators shall, at least once in every year, elect from their number seven managers, one of whom shall be designated as president, and a secretary and treasurer, who shall make a report of their proceedings, and a statement of their finances at the annual meetings of the corporators, and as much oftener as may be required by a majority of them, the said corporators.

Managers, president, &c., to report.

SECTION 4. That the said corporators or managers shall have power to contract for and purchase from the owner

To hold lands

Quantity limited or owners thereof, so much of the said Woodlands estate, not exceeding seventy-five acres, as they may think necessary for such cemetery, and the same to lay out and ornament, and to divide and arrange into suitable plats and burial lots, and to improve, remove or alter old, and erect and build new buildings, and to do all other things, proper and necessary to be done, to adopt the said ground for the purpose of a cemetery, and to sell and dispose of such plats and burial lots in fee simple or otherwise, for the purpose of sepulture to individuals, societies or congregations, without distinction or regard as to sect, under such conditions, rules, and regulations as the said corporators or managers may establish for the government of lot holders, visitors to the cemetery, and burial of the dead.

SECTION 5. That the said managers shall have power to appoint all other officers, agents and workmen which may be needful, and fix their compensation or wages, and the same to discharge at pleasure; to take from the treasurer security for the faithful performance of his trusts, and to discharge him from his office upon occasion therefor; and they, the said managers, shall keep fair minutes of all their acts and doings.

SECTION 6. That the said company shall be capable of holding so much personal property as may be necessary for the purpose of this incorporation, and it shall be the duty of the managers, out of the proceeds of the sale of burial lots, to create a fund to be invested in ground rents or mortgages, the income whereof shall be of adequate amount and, applied as may be necessary, for the improvement and perpetual maintenance of the cemetery in proper order and security, and at least ten per cent. of the purchase money of all burial lots sold, shall be set aside for said improvements and the creation of said perpetual fund, and any failure in the duties aforesaid, shall subject said managers or corporation to the control of the competent judicial authority for correction.

SECTION 7. That forasmuch as humanity, and a decent respect for the dead and the feelings of the survivors, require that the graves of the deceased should never be violated, nor families separated in their last resting place. No public street, road or passage shall ever be opened through the said cemetery, without the consent of the said corporation, under their execution, &c common seal.

WM. HOPKINS,
Speaker of the House of Representatives.

W. T. ROGERS,
Speaker of the Senate.

APPROVED—The thirteenth day of April, one thousand eight hundred and forty.

DAVID R. PORTER.