

No. 397.

AN ACT

To incorporate the cemetery of the Methodist Episcopal church at Harrisburg.

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 Jacob M. Awl, Joseph Black, Cyrus J. Rees, Henry Antes, James Denning, Samuel Weitzel, Alexander Buffington, James Porter and Trustees. William Jennings, trustees in trust for the Methodist Episcopal church at Harrisburg, and their successors in office, agreeably to the rules and form of discipline by which the said church is governed from time to time, be and they are hereby created a body politic and corporate in law, by the name, style and title of "The cemetery of the Methodist Episcopal church at Harrisburg," and by that name shall have perpetual Name. Privileges. succession, and be able to sue and be sued in any court of law or equity, and may have a common seal, and the same at their pleasure to alter or renew; and shall have power to purchase, have, hold and enjoy to them and their successors, such real estate as they now hold, with such other real estate as they may require for the purpose of establishing said cemetery: *Provided,* That the whole quantity of real estate to be held by them as a corporation, shall not exceed five acres; and the said corporation shall have authority to receive gifts or bequests, for the purpose of ornamenting or improving said cemetery, and to hold such personal property as may be necessary to carry out the object of this act. Proviso.

SECTION 2. That the affairs of said corporation shall be conducted and governed by the trustees in trust as aforesaid, and their successors in office, agreeably to the rules and form of discipline by which the said church is governed from time to time, who shall have power to lay out and ornament the ground purchased, or which may be purchased for said cemetery, to erect such buildings thereon as may be necessary for the enjoyment of the same, to lay out, sell and dispose of burial lots, to appoint all necessary officers, and fix their several duties and compensations, and to make such by-laws, rules and regulations as they may deem proper for conducting the affairs of the corporation, for the government of lot holders and visitors to the cemetery, and for the transfer of lots and the evidence thereof. Powers.

SECTION 3. That no streets or roads shall hereafter be opened through the lands of said corporation, except by and with the consent of the said "trustees in trust, and their successors in office as aforesaid;" and that any person who shall wilfully destroy, mutilate, deface, injure or abuse any tomb, monument, grave stone or other structure placed in the cemetery aforesaid, or any fence, railing or other work for the protection or ornament of said cemetery, or of any tomb, monument, grave stone or other structure placed therein as aforesaid, or shall wilfully destroy, cut, break or remove any tree, shrub or plant within the limits of said cemetery, or shall shoot or discharge any gun or other fire arms within said limits, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof before any justice of the peace of the county of Dauphin, be punished by a fine at the discretion of the justice, according to the aggravation of the offence, of not less than five nor more No streets to be opened through the lands. Injuries, how punished.

than fifty dollars, or shall on conviction thereof in the court of quarter sessions of said county, be punished by fine as aforesaid, and by imprisonment according to the aggravation of the offence, at the discretion of the court.

Transferable.

SECTION 4. That every lot conveyed in such cemetery shall be held by the proprietor for the purpose of sepulture alone, transferable with consent of "trustees in trust, and their successors in office as aforesaid," and shall not be subject to attachment or execution; and that the said cemetery shall hereafter be forever exempted from taxation.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

WM. F. JOHNSTON,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 398.

AN ACT

To incorporate the Montgomery cemetery company.

Preamble.

WHEREAS, Several citizens of this commonwealth hereinafter named, have associated for the purpose of establishing a cemetery in the neighborhood of Norristown, in the county of Montgomery, intending that about thirty acres of a certain tract of land in Norriton township, in said county, bounding on the river Schuylkill and the lands of Zadock Thomas, ——— Rittenhouse and others, shall be used for the purpose of interment, and they have desired that they and their successors may be incorporated for establishing and perpetuating such cemetery; therefore,

Trustees.

Incorporated.
Name.

Number of trustees.

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 William Hamil, John R. Cooken, Adam Slemmer, Henry Freedley, James Wells, Abraham Markley, John Freedley and Joseph Fornance, be and they are hereby made a body politic and corporate in law, under the name, style and title of the "Montgomery cemetery company," and by that name shall be able and capable in law to have and use a common seal, to sue and be sued, to plead and be impleaded, and to do all such other things as are incident to a corporation.*

SECTION 2. That the first five persons above named shall be trustees of said cemetery company, and whenever a vacancy shall occur in the board of trustees, the court of common pleas of Montgomery county shall appoint other trustee or trustees, so that the ground selected for a cemetery may be preserved for the purposes intended, and those who