

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

bury there may be assured of continued protection to the remains of relatives and friends who have been committed to the earth.

SECTION 3. That the said cemetery company shall be able and capable in law to purchase and hold for the purpose of a cemetery, said tract of land not to exceed in extent thirty acres; also, to hold so much personal property as may be necessary for the purposes of this corporation and no more, and to assume the management, direction and disposal of the same. May purchase land, &c.

SECTION 4. That the trustees aforesaid shall have power to lay out and ornament the grounds purchased by said cemetery company for the purposes of this corporation, to erect suitable buildings thereon, and keep the buildings and premises in decent repair, to arrange burial lots and sell and dispose of the same for burial places, under such rules as may be proper and necessary, to make by-laws and regulations from time to time relative to the duties of trustees, and relative to the appointment of suitable officers and agents, and their duties and compensation, and from time to time to make such other rules and regulations for the government of lot-holders and visitors, as they may deem necessary. Further powers.

SECTION 5. That no street or road shall be opened through the lands of said corporation occupied as a burial ground, except by and with the consent of said corporation. No street or road to be opened through burial ground, &c.

SECTION 6. That the court of common pleas of Montgomery county shall have full power at all times, upon the application of any trustee, to grant relief in equity so far as regards the removal of any trustee or trustees who may be unable to fulfil his or their duties, or who neglects or refuses to carry out the object and intention of this charter, and from time to time to appoint a trustee or trustees to fill all such vacancies as may occur by death, resignation or removal. Court of common pleas of Montgomery county to grant relief, &c.

SECTION 7. That the same protection and provisions contained in an act relating to the mutual family burial ground association of the city and county of Philadelphia, be and the same is hereby extended to the Montgomery cemetery company. Provisions of a certain act extended to this company.

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.