

LAWS OF PENNSYLVANIA,

Security.

of this act, the said executrix and executors, and trustees, shall give bond in double the amount of the purchase money, or in double the value of the property disposed of, with surety, to be approved by the orphans' court of the county of Philadelphia, conditioned for the faithful application of the same to the uses and purposes of said will.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

DANIEL L. SHERWOOD,

Speaker of the Senate.

APPROVED—The twenty-first day of February, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

No. 47.

AN ACT

Incorporating the Charles Evans cemetery, in Berks county.

Preamble.

WHEREAS, The establishment of cemeteries in the vicinities of large cities and populous places, is deemed to be expedient and useful to the inhabitants, and the citizens of Reading are desirous of promoting such an establishment at a convenient distance from their borough: *And whereas*, Charles Evans, Esq., of the said borough, has agreed to convey to the Hon. John Banks, John S. Hiester, Doctor Isaac Hiester, James L. Dunn, Esq., Samuel Bell, Doctor Hiester H. Muhlenberg, William Strong, Esq., Matthias S. Richards, Esq., William Darling, Esq., Doctor Diller Luther, William Eckert, Benneville Keim and Peter Filbert, Esq., a lot of ground containing about twenty acres, lying on the Centre turnpike road, about one mile from the borough of Reading, in trust nevertheless, for the purpose of a rural burying place, to be called the Charles Evans cemetery :

And whereas, William Strong, Esq., William Darling, Esq., Doctor John P. Heister, Thomas M. O'Brien, David McKnight, J. Pringle Jones, Esq., I. Lawrence Getz, and many others, have signified their wishes to take lots in the said cemetery, for the purpose of interment; 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 the said John Banks, John S. Hiester, Doctor Isaac Hiester, James L. Dunn, Samuel Bell, Dr. Hiester H. Muhlenberg, William Strong, Matthias S. Richards, William Darling, Doctor Diller Luther, William Eckert, Benneville Keim and Peter Filbert, together with such other persons as may hereafter become purchasers of lots in the said cemetery, be and they are hereby made a body politic and corporate in law, under the name, style, and title of "the Charles Evans cemetery com-

Incorporated.
Name.

pany," and by that name shall be able and capable in law, to use a common seal, and 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 said John Banks, John S. Hiester, Doctor Isaac Trustees.
Hiester, James L. Dunn, Samuel Bell, Doctor Heister H. Muhlenberg, William Strong, Matthias S. Richards, William Darling, Doctor Diller Luther, William Eckert, Benneville Keim and Peter Filbert, trustees as aforesaid, shall have power to arrange, lay out and ornament the said lot of land so conveyed to them in trust, by the said Charles Evans, for a burial cemetery, into lots or subdivisions, as they shall deem to be expedient, and to plant and embellish the same with trees, shrubbery, flowers, walks and other ornaments; and that a majority of the said trustees, shall have power to make all such by-laws, rules and regulations, as they may deem necessary or proper in relation to the same; and to elect trustees in the room of those who may be removed by death, resignation or otherwise: *Provided*, The number of trustees Provisi.
shall never exceed thirteen; and the trustees so elected, together with the surviving trustees, shall have the same power from time to time, as Number of trust-
occasion may require; and a majority of them shall be a quorum to transact all the business of the said corporation. tees.

SECTION 3. That the said trustees shall have power to accept and Further powers.
fulfil a further trust from the said Charles Evans, of an adjoining lot of about twelve acres, in case such adjoining lot should be conveyed by the said Charles Evans, to the trustees aforesaid, to be laid out in the same manner, for a place of interment, and subject to the same rules and regulations, and for the same purposes as the first mentioned lot, if the same shall be thought expedient.

SECTION 4. That no street, lane or road, shall hereafter be opened No streets, alleys
through the lands so occupied as a cemetery, as aforesaid, except with or roads to be
the consent of the corporation; and the same shall be exempt from tax- opened through
tion, and no lot or subdivision of a corporator, shall be subject to attach- cemetery, &c.
ment or execution for his or her debt.

SECTION 5. That it shall be lawful for the said corporation to take May receive
and hold any grant, donation, or bequest of property upon trust, to grants, bequests,
apply the same under the direction of the said trustees, for the improve- &c.
ment or embellishment of the said cemetery, or any buildings, structures
or fences erected or to be erected thereon.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The twenty-fourth day of February, one thousand eight hundred and forty-six.

FRS. R. SHUNK.