

No. 293.

A N A C T

Constituting the mayor of the city of Allegheny, an official visitor to the state penitentiary.

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 Mayor of Allegheny city, constituted an official visitor to penitentiary.
the mayor of the city of Allegheny, be and he is hereby constituted an official visitor to the penitentiaries of the commonwealth, with the same powers and privileges which are conferred, by law, on other official visitors.

SECTION 2. That in all actions pending, or hereafter to be brought in the several courts of this commonwealth, said courts shall have power, Powers of courts to amend the record.
in any stage of the proceedings, to permit amendments of the record, when it shall appear to them, by any sufficient evidence, that a mistake has been made in the christian name or surname of any party, plaintiff, or defendant: *Provided,* That if, by such alteration or amendment, the adverse party is taken by surprise, the trial shall be continued until the next court.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 294.

A N A C T

To incorporate the Mount Union cemetery, in Allegheny county.

WHEREAS, The trustees of the First Associate Reformed church, of Allegheny city, have purchased ten acres of ground in the reserve tract opposite Pittsburg, Allegheny county, for a cemetery or burying ground for the use of the members of the said church, and all other persons who may wish to bury in the same: Preamble.

And whereas, It seems reasonable and necessary to provide for the permanence of the establishment, so that the graves may not be violated, the shrubbery and improvements injured, or the burial lots, containing the bodies of deceased friends and relatives, levied upon and sold for the debts of the living.

Trustees.	SECTION 1. <i>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 Robert Fairman, Robert Ray, H. M. Dunlap, Andrew Davidson and Samuel Robinson, trustees of the First Associate Reformed church, of Allegheny city, and their successors in office, shall be able and capable in law, to hold the ten acres of land they have already purchased, for the use of a burying ground, in the reserve tract opposite Pittsburg, to be called the "Mount Union cemetery;" to make such rules and regulations in relation to the management of said cemetery, and the government of the lot-holders and visitors of the same, as they may from time to time deem necessary; to lay out, sell and convey by deed, under the hand and seal of the president of the board of trustees aforesaid, and their successors in office, with the restriction, that the same shall not be used for any other purpose than for the burial of the dead, and shall not be liable to be levied upon and sold for debt, taxes, or otherwise, howsoever; and to have and hold so much personal estate as may be necessary for the right use and enjoyment of said property, so that neither the said land or personal property shall or may be subject to levy or sale, while used for the purposes of said cemetery.</i>
Name.	
Enact rules.	
Object.	
Penalty for removing dead bodies from the graves.	SECTION 2. <i>If any person shall open any grave or tomb, in said cemetery, and clandestinely remove, or attempt to remove, any body or remains therefrom, such person, upon conviction thereof, shall be sentenced to undergo an imprisonment in the penitentiary for a period not less than one year, and pay a fine of not less than five hundred dollars.</i>
Trespassers, how punished.	SECTION 3. <i>If any person shall trespass on the grounds of said cemetery, or shall injure or deface the fences, shrubbery, trees, walks, burial lots, tomb-stones, railing, fixtures, personal or other property attached or belonging to said cemetery, or shall commit any nuisance in or about the same, every such person shall make good the damage, and pay a fine of not less than five dollars, for the use of the poor of the city of Allegheny, to be enforced and collected in the same manner as forfeitures, under the act of twenty-second April, seventeen hundred and ninety-four, for the prevention of vice and immorality.</i>
No street, &c., to be laid out through the ground.	SECTION 4. <i>No street, road, canal or railroad, shall hereafter be opened through the lands of said cemetery, nor shall the same be liable to be used, or taken for any purpose whatever, not connected with or appertaining to burial purposes.</i>

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.