

and collected on the lands situate and lying within the territory of such new township or townships divided or erected as aforesaid.

WILLIAM F. PACKER,

Speaker of the House of Representatives.

WM. WILLIAMSON,

Speaker of the Senate.

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

FRS. R. SHUNK.

No. 321.

AN ACT

To incorporate the Lewisburg cemetery association, in Union county.

Preamble.	WHEREAS, The persons hereinafter named, have agreed to purchase a piece of ground in the vicinity of Lewisburg, in the county of Union, containing no less than five acres, for the purpose of converting the same into a cemetery; and they are desirous that they and their successors may be incorporated, for the purpose of establishing and perpetuating such cemetery: <i>And whereas,</i> It seems reasonable and necessary to provide for the permanency of such an 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 debts; therefore,
Incorporators.	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,</i> That Thomas Hayes, George F. Miller, Samuel Wolf, James P. Ross, James Moore, junior, Solomon Ritter, Levi B. Christ, John Chamberlin, Henry R. Noll, doctor William Hayes, Levi Sterner, Hugh P. Sheller, William Wilson, Stephen S. Lyndel, Peter Nevins, Flavel Clingan, John Gundy and Jacob Gundy, and their successors, be and are hereby created a body politic and corporate in law, by the name and style of the "Lewisburg cemetery association of Union county;" and by that name shall have perpetual succession, and be able to sue and be sued in any court of law or equity, and may have and use 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, a piece of land not less than five acres; to have, hold and enjoy, to them and their successors, such piece of land, with such other real estate as they may require, for the purpose of establishing said cemetery: <i>Provided,</i> That the whole quantity of real estate to be held by them as a corporation, shall not exceed twenty 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
Name.	
Privileges.	
Proviso.	

personal property as may be necessary to carry out the object of this act.

SECTION 2. That the affairs of said corporation shall be conducted by a president and seven managers, who shall be elected by a majority of the votes of the members of the corporation, polled on the first Monday of June, in each year, at such place as may be agreed upon by the majority of the corporators or managers; at least ten days' notice of such election, to be given by three written or printed handbills, or by publication in a newspaper printed in Lewisburg; and in case such election should be neglected, then the officers of the preceding year shall continue in office until an election shall be held. The said president and managers shall fill all vacancies which may occur in their own body, a majority of which shall constitute a quorum for the transaction of business; and shall have power to lay out and ornament the ground, purchased for said cemetery, into lots or sub-divisions, as they shall deem expedient, and to plant and embellish the same with trees, shrubbery, flowers, walks and other ornaments; to erect such buildings thereon as may be necessary for the enjoyment of the same; to appoint all necessary officers, and fix their several duties and compensation, 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 the lot-holders and the visitors to the cemetery, and for the price and transfer of lots: *Provided*, That until an election takes place for a president and managers, the said corporators shall act as a board of managers, and elect one of their number as president; seven of whom shall constitute a quorum, and shall be invested with all the authority as a president and managers duly elected, as hereinbefore provided.

SECTION 3. That every lot conveyed in said cemetery, shall be held by the proprietor, and his heirs, for the purpose of sepulture alone, transferable with the consent of the president and a majority of the managers; deeds for lots to be executed by the president, under his hand and seal, and shall not be subject to attachment or execution; and that the said cemetery shall hereafter be forever exempt from taxation, except state tax.

SECTION 4. That no streets or roads shall hereafter be opened through the lands of said corporation, except by and with the consent of the said president and managers; and that any person who shall wilfully destroy, mutilate, deface, injure or remove 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 commonwealth, be punished by a fine, at the discretion of the justice, according to the aggravation of the offence, of not less than one, nor more than one hundred dollars; or shall, on conviction thereof in the court of quarter sessions of the county of Union, be punished by fine as aforesaid, and by imprisonment, according to the aggravation of the offence, at the discretion of the court.

SECTION 5. 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, on conviction thereof, shall be sentenced to undergo an imprisonment in the county jail for not less than twelve months, and pay a fine not less than two, nor more than five hundred dollars; and on conviction of a second like offence shall,

instead of imprisonment in the county jail, undergo an imprisonment in the penitentiary for a period not less than six months.

When lot-holders
shall become
members.

SECTION 6. That as soon as the money received from the sale of lots, in said cemetery, shall be sufficient to pay the purchase money expended by the persons hereby incorporated, with interest, and the expenses that shall have been incurred by them in laying out, enclosing and improving the grounds, and other expenses respecting the said cemetery, then each lot-holder shall become a member of the corporation, and have a right to vote for the officers thereof; and at all elections held thereafter, under this act, each member of the corporation shall be entitled to one vote, and no more: *Provided*, That all the money raised thereafter from the sale of lots, shall be expended in improving, repairing and maintaining said cemetery.

Proviso.

Part to be used
as a public bury-
ing ground.

SECTION 7. That at least one-eighth of the ground purchased for the cemetery aforesaid, shall be appropriated by the managers for a public burying ground: *Provided*, That where persons are of sufficient ability to pay, and are desirous of burying on the ground appropriated by this section, they shall be charged by the managers such price as they may deem just and reasonable.

Proviso.

On failure of
election, former
board to act.

SECTION 8. That a failure to hold an election for president and managers as aforesaid, shall in no way impair this act of incorporation; but in such case, the concerns of said cemetery shall be managed as provided by the second section of this act.

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. 322.

AN ACT

Extending the chancery powers of, and to the jurisdiction and proceedings in, certain courts.

Chancery powers
granted to com-
mon pleas and
district court of
Lancaster.

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 court of common pleas of the city and county of Lancaster, and county of York, shall have the jurisdiction and powers of a court of chancery within the said city and county, so far as the same are by existing laws vested in and exercised by the supreme court, sitting in banc in the city of Philadelphia, and by the court of common pleas of the city and county of Philadelphia, and under the like regulations and restrictions as are prescribed by law for the said courts; and in all cases