

No. 145.

## AN ACT

To incorporate Saint Mary's cemetery, in Allegheny county.

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 right reverend M. O'Connor, reverend Edward M'Mahon, P. Mulvany, C. Ihmsen, Luke Taaffe, N. Grattan Murphy, John M'Devitt, James Blakely, James E. Ledlie, John S. Cosgrave, S. C. Tiernan, Daniel M'Meal, James Cochran, R. J. Grace, Henry M'Culloh, George Rhey, John D. Jennings, John Coyle, George Beale, junior, John Farran, Thomas Appleby, M. M'Closkey, G. L. B. Fetterman, J. B. Knox, John Savage, James P. Barr, James M'Adams, Richard Connell, James Karney, A. M'Tighe, Martin Connelly, P. Loughran, James Casey, Thomas Flood, John Magee, John Casey, John Mellon, John O'Brien, Samuel Snee, James M'Caleer, H. M'Gonigal, Robert M'Keever, T. M'Carthy, William F. M'Bride, O. M'Almeel, Thomas O'Neill, J. N. M'Clowry, F. Dunn, Thomas Byrne, James M'Devitt and John E. Downing, be and they and their successors are hereby created a body politic in law, under the name and title of "Saint Mary's cemetery;" and by that name shall have perpetual succession, and be able and capable in law to have and use a common seal, to sue Seal. and be sued, implead and be impleaded in all courts of law and equity, and to do all such other things as are incident to a corporation.

SECTION 2. That the said corporation shall, at least once in every year hereafter, fill, by election by ballot, all vacancies which may occur among them, and may at the same time or other times increase and add to their number from those who may be lot-holders in the cemetery, so that the said company shall never be reduced to less than ten nor exceed fifty members; and they shall have full power to ordain, establish and put in execution, all such by-laws, rules and regulations, not contrary to the constitution and laws of the United States, or of this state, which may be necessary for the proper government of the corporation, its officers and affairs; and until the election of managers, shall exercise all the powers thereof.

SECTION 3. That the said managers shall be elected or appointed as follows: Four to be appointed by the R. C. bishop of the diocese of Pittsburgh; four by the R. Catholic clergymen having charge of churches in the city of Pittsburgh and its districts, and of the city of Allegheny, for the time being; and four to be elected by ballot by the corporators, and that any lot-owner in the cemetery be eligible to the appointment or election as a manager.

SECTION 4. That the said managers shall appoint from their own number or otherwise, a secretary and treasurer, who shall make a report of their proceedings, and a statement of the finances, at the annual meetings of the corporators, and as much oftener as may be required by a majority of them, the said corporators.

SECTION 5. That the said corporators or managers shall have power to contract for and purchase, from the owner or owners thereof, a tract of land in Allegheny county, not exceeding in the whole fifty acres,

and the same to lay out and ornament, and to divide and arrange it into suitable plots and burial lots, remove and alter old and erect new buildings, and to do all other things proper or necessary to be done to adapt the said ground for the purposes of a cemetery, and to sell and dispose of said plots and burial lots, in fee simple or otherwise, for the purpose of sepulture, agreeable to the rules of the Catholic church, made and provided therefor, and under such other conditions, rules and regulations as the said corporators or managers may establish for the government of lot-holders, visitors to the cemetery, and burial of the dead : *Provided*, That the lots granted by the said association for burial lots, shall not be used for any other purposes ; and they shall be free from seizure, levy or sale, under or by virtue of any execution against any grantee or grantees of said association for such purpose : *Provided however*, That such exemption from seizure and sale, shall not extend to more than four lots held by any one individual.

Proviso.

Officers, agents,  
&c.

SECTION 6. That the said corporators or managers after their election, shall have power to appoint all other officers, agents and workmen which may be needful, and fix their compensation or wages, and the same discharge at pleasure ; to take from the treasurer security for the faithful performance of his trust, and to discharge him from his office upon occasion therefor ; and that the said managers shall keep fair minutes of all their acts and doings.

Grounds exempt  
from taxation,  
except.

SECTION 7. That the said company shall be capable of holding so much personal property as may be necessary for the purposes of this incorporation, and for the improvement and perpetual maintenance of the cemetery in proper order and security ; and that said cemetery grounds and buildings be exempt from all taxation, except for state purposes.

Proceeds of burial  
lots, how to  
be applied.

SECTION 8. That the proceeds of the sales of burial lots shall be applied to the liquidation of the purchased capital, and the improvement and embellishment of the cemetery ; and after both of these objects shall have been well and fully accomplished, to any charitable use the managers, by a vote of two-thirds of their number, shall determine.

J. S. M'CALMONT,

*Speaker of the House of Representatives.*

V. BEST,

*Speaker of the Senate.*

APPROVED—The eleventh day of March, one thousand eight hundred and fifty.

WM. F. JOHNSTON.