

before the first day of September, one thousand eight hundred and fifty-six ; five thousand dollars thereof on or before the first day of September, one thousand eight hundred and fifty-seven ; and the remaining five thousand dollars thereof on or before the first day of September, one thousand eight hundred and fifty-eight ; for which said sums the Governor of this Commonwealth shall, as they respectively fall due, draw his order on the State Treasurer in favor of the treasurer of the House of Refuge.

E. B. CHASE,

Speaker of the House of Representatives.

M. MCASLIN,

Speaker of the Senate.

APPROVED—The twenty-sixth day of January, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 11.

A N ACT

To incorporate the Honesdale Cemetery Company.

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

Corporators. Russell F. Lord, Thomas H. R. Tracy, Samuel E. Dimmick, John Torrey, Stephen Torrey, Richard L. Seeley, James R. Dickson, Francis B. Penniman, Zenas H. Russell, John F. Lord, Amory Prescott, Richard Henwood, James M. Brookfield, Eliphalet Wood, Maitland A. Bidwell, Rufus M. Grenell, Solomon West, Charles Schlager, George Brittenbacher, Oliver Hamlin, Charles P. Waller, William R. M'Laury, German L. Healer, Henry Dart, Samuel Allen, Hawkin B. Beardslee, Stephen B. Ward, William Turner and Coe F. Young, or so many of them as shall agree in writing to contribute, in form and manner as shall be provided in the by-laws for the purchase and other expenses, and their successors be and they are hereby

Style. created a body politic and corporate in law, by the name, style and title of the Honesdale cemetery company, 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 alter or renew, and shall

Privilege. have power to purchase, have, hold and enjoy to them and their successors, any land in the county of Wayne not exceeding fifty acres, for cemetery purposes, and shall have authority to receive gifts or bequests for the purpose of improving or ornamenting said grounds, and to hold such 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 six managers, who shall be elected by a majority of the votes of the members of the corporation on the first Monday in May in each and every year, and in case no election shall be held at the time aforesaid, 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, by selecting a lot holder to supply any vacancy that may occur by resignation, death, removal or otherwise, and shall have power to lay out and ornament the grounds purchased, to erect such buildings thereon as may be necessary for the enjoyment of the same; to lay out, sell and dispose of burial lots; to appoint all necessary officers and fix their several duties and compensations, 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 lot holders and visitors to the cemetery, and for the transfer of lots and the evidence thereof.

Affairs, how conducted.

SECTION 3. That every lot in such cemetery shall be held by the proprietor for the purpose of sepulture alone, transferrable with the consent of the president and managers, and shall not be subject to attachment or execution.

Lots, how held.

SECTION 4. 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 which shall have been incurred by them in enclosing, laying out and improving the grounds and erecting the necessary buildings, 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 monies raised thereafter from the sale of lots shall be expended in improving, repairing and maintaining said cemetery: *And provided*, That until an election shall be held under the provisions of this act, the persons hereby incorporated shall be the managers of the corporation.

When lot holders to become members.

Proviso.

Proviso.

SECTION 5. That any person who shall wilfully destroy, mutilate, deface, injure or abuse any tomb, monument or gravestone 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 lot therein, or who shall wilfully destroy, cut, break or remove any tree, shrub or plant within the limits of said cemetery, or who shall shoot or discharge any fire-arms within said limits shall be guilty of a misdemeanor, and shall upon conviction thereof before any justice of the peace in Wayne county, be punished by a fine at the discretion of said justice, according to the aggravation of the offence, of not less than five nor more 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 at the discretion of the court, according to the aggravation of the offence.

Punishment for destruction of property.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The twenty-sixth day of January, Anno Domini one thousand eight hundred and fifty-four. WM. BIGLER.