

ARTICLES OF INCORPORATION,

BY-LAWS

AND

RULES

OF THE

MENNONITE

Cemetery Association,

LOCATED AT

STONERVILLE,

Westmoreland County, Penn'a.

GREENSBURG:

KLINE & BRO. JOB PRINTING ROOMS.

1878.

ARTICLES OF INCORPORATION.

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ARTICLES OF INCORPORATION

—OF THE—

Mennonite Cemetery Association.

SECTION 1. The name of this corporation shall be the "MENNONITE CEMETERY ASSOCIATION."

SEC. 2. The purpose of said corporation is to secure by purchase, gift, lease or otherwise such lands as may be necessary, not exceeding five acres, in the vicinity of Stonerville, in East Huntingdon township, Westmoreland county, Pennsylvania, for Cemetery purposes, and to hold the same as a burial place for the dead—to lay off said grounds into lots of suitable size and to sell the same to individuals or families for sepulchral purposes, to improve and to ornament such lands, to erect buildings thereon, and to do other things necessary to be done in order to convert such lands into a Cemetery.

SEC. 3. The Directors of said corporation shall have authority to lease such portion of the land belonging to the Mennonite congregation which worships in the church at Stonerville, for a term of nine hundred and ninety-nine years, as said congregation through its Trustees may agree to lease to them for sepulchral purposes, and which may embrace the grounds used by that congregation as burial grounds for the dead, and which grounds and when thus leased

shall become until the term for which it shall be leased expires, part and parcel of the said corporation's realty, and be used, managed, and improved and ornamented as any other lands of said corporation, *Provided*, however, that in laying out lots adjacent to the graves of those already interred in the said lands thus leased from the said Mennonite congregation, preference shall invariably be given to citizens whose friends and relatives are buried there to obtain the lots lying near the graves of such relatives and friends. Such adjacent lots shall not be disposed of to any other parties until the relatives and friends of the buried dead have an opportunity of purchasing such lots, provided they live in the neighborhood or their residence known.

SEC. 4. That in order that the remains of those who have been buried in the grounds belonging to said Mennonite congregation and which may be leased by this Corporation as well as the remains of those who may be interred hereafter in said Cemetery may forever be unmolested, this corporation shall never either lease, sell, or give away, any coal or other mineral under the grounds belonging to this corporation, nor shall the Directors nor any other officer of this corporation permit or allow these grounds to be entered upon or used for the purpose of opening a channel to or for the purpose of removing from adjacent lands any coal or other mineral therefrom.

SEC. 5. The place at which the business of said corporation shall be transacted shall be Stonerville, in East Huntingdon township, Westmoreland county, Pennsylvania.

SEC. 6. This charter shall be perpetual. Any person can become a member of this corporation by paying twenty dollars and subscribing to the constitution and by-laws.

SEC. 7. The names of the corporators are as follows: David F. Stoner, Jacob B. Sherrick, A. O. Overholt, Jacob F. Stoner, John S. Fretts, John S. Fox, M. O. Lane, Adam Stoner, B. F. Bolton, Abraham Ruth, whose names are signed to these articles of incorporation.

SEC. 8. The number of Directors shall be nine.

SEC. 9. The corporation shall have no capital stock other than the realty provided for in Section 2 of these articles of incorporation.

SEC. 10. The business of the corporation shall be transacted by the board of Directors, a majority of whom shall constitute a quorum. One of said Directors shall be chosen as President of the board, one as Secretary and one as Treasurer, whose duties shall be such as appertain to like officers in similar corporations.

SEC. 11. That, until an election shall be held, the above-named corporators shall become the managers of the corporation and shall have all the powers and be entitled to exercise all the authority of Directors. The election of officers shall be held annually on the last Monday of January of each and every year, at which elections three persons shall be chosen to serve three years. At the first election, however, which shall be held within three months after the decree of Court incorporating this association, the members and lot holders, each being entitled to cast one vote, shall elect nine Directors in the manner following, to wit: On each ballot there shall or may be either written or printed the names of three persons who shall serve until the last Monday in January, 1879, and the names of three persons to serve until the last Monday in January, 1880, and three persons to serve till the last Monday in January, 1881, and these three classes shall be designated by the voters by placing the figure "1" opposite the names of the

three whose term he or she may desire to terminate in January, 1870; the figure "2" opposite the names of those whose term they may wish to terminate in January, 1880, and the figure "3" opposite the names of those whose term they may wish to terminate in January, 1881. Vacancies that may occur in the board may be filled at the first election held after it occurs by the members and lot holders voting for persons to fill such as indicated above in relation to the first election to be held after the decree incorporating this association.

SEC. 12. This corporation shall have authority to make and adopt such by-laws as the members and lot holders shall decide to be necessary, at a meeting called for that purpose; *provided* the same be not inconsistent with these articles, nor in violation of the Constitution of this State, nor the laws made in pursuance thereof, nor of the Constitution of the United States.

SEC. 13. The by-laws of this corporation shall prescribe the time and place of meeting of the Directors, and also the powers and duties of the officers of this corporation, and such other regulations as may be deemed necessary for the well ordering of its business, and may also prescribe penalties for the breach of any of its by-laws not exceeding in amount for any one offense twenty dollars.

SEC. 14. Each member and the owner or owners of each lot shall be entitled to one vote at all the elections held by this corporation. If a lot, by descent or otherwise, shall become the property of more than one person, then and in that case those who own such lot shall only be entitled to cast one vote, which vote shall be cast by the majority of those who may own such lot.

SEC. 15. This corporation shall have and possess

all the powers, privileges, immunities and rights incident to or of right belonging and appertaining to a body politic in law, equity and otherwise for and during its existence.

ABRAHAM O. OVERHOLT,	M. O. LANE,
JOHN S. FRETTS,	B. F. BOLTON,
ABRAHAM RUTH,	D. F. STONER,
JACOB B. SHERRICK,	ADAM STONER,
J. F. STONER,	S. B. STONER,
P. S. LOUCKS,	S. D. AULTMAN,
CHRISTIAN STAUFFER,	H. W. STONER,
	J. B. STONER.

BY-LAWS

OF THE

Mennonite Cemetery Association.

SECTION 1. The officers of the corporation shall be a President, Secretary and Treasurer.

SEC. 2. The Board of Managers shall meet statedly every three months, and the President shall call special meetings when requested to do so by two members of Board of Managers.

SEC. 3. The Secretary shall keep a full and accurate record of the proceedings of the Board of Managers, and shall also keep a correct plan of all lots in the Cemetery, adding thereto all additions as are made from time to time. He shall also keep a correct register of all lots sold, showing the section, number, quantity of ground, price, name of purchaser and date of deed, and at each annual meeting of the corporation (and oftener if required by the Board) he shall furnish a schedule of lots showing the number unsold at last report, the number added during the year past, the number sold and the number then unsold, with all the details as shown by said register. He shall have custody of all the aforesaid records, plans and registers, as also of the title deed of the property, the seal of the corporation, and all other books and papers, except the ac-

count book of the Treasurer. He shall, (or in his absence the President or Treasurer may) on application, issue permits to the Superintendent for interment on receipt of the proper charges therefor, which moneys he shall pay over to the Treasurer as often as once a month; and he shall give notice of all meetings of the Board, and cause to be published all meetings of the corporation, according to the provisions of the charter and by-laws, and shall give a bond, with one or more sureties, in such sums as the Board may require, conditioned for the faithful performance of his duties.

SEC. 4. The Treasurer shall receive and be held responsible for all moneys and all securities and evidence of debt of the corporation which shall come into his hands, of which he shall keep a detailed and accurate account, designating whether arising from sale of lots, permits, interest, or other sources, in the books of the corporation, of which he shall have custody, subject, however, at all times to the inspection of the Board, and shall pay all claims upon the corporation, but only upon the warrant of the President attested by the Secretary. He shall render to the Board annually (and oftener if they request it) a general statement of the finances of the corporation, showing the balance on hand at the last report, the receipts and expenditures during the year past, and the balance then in the treasury, and how invested and secured. He shall also give bond with one or more sureties, in such sums as the Managers shall require, conditioned for the faithful performance of his duties, and for the delivery to his successor, when required, all moneys, securities and evidence of debt of the corporation which shall have come into his hands, and also all books of accounts, vouchers, and other papers belonging to the corporation.

SEC. 5. There shall be a standing committee of three to be elected by ballot by the Board of Man-

agers from their own number, at their first meeting after organization, to serve for one year, or until their successors are elected. They shall be charged with the general care of the grounds of the corporation, and perform such duties as the Board may, from time to time, direct. All avenues and walks shall be located and graded, and lots shall be surveyed and sold under their direction; and all improvements by proprietors of lots shall be approved or rejected by them, subject to the control of the Board of Managers.

SEC. 6. The President and Secretary shall be ex-officio a committee on accounts, and any account approved by them shall be paid by the Treasurer.

SEC. 7. The Superintendent shall have the general direction and control of the improvements of the ground under the Board of Managers. He shall lay out all lots in the Cemetery, and shall preserve a record thereof so that they may be known and found should their boundaries become obliterated. He shall see that these regulations of the Board of Managers, with respect to the improvements on the lots by the holders thereof, be properly observed. He shall have charge and keep an account of the property, tools and implements of the corporation, which may be required on the premises. He shall furnish estimates when required of the probable expenditures of the coming week, month or quarter, at each regular meeting of the Board, and when workmen are engaged on the ground, shall certify to the President the number of hands employed, the amount due them, and the work in which they have been engaged. He shall keep a record of all the interments within the Cemetery, in the form determined by the Board. Lot holders who may wish either to improve or enclose their lots, erect monuments, construct vaults, or to have their boundaries more fully defined, must apply to the

Superintendent, whose directions they will conform to, as well upon these occasions as upon the order to be observed by funeral processions, &c., within the limits of the Cemetery, and to him the Managers look for the enforcement of the rules by the lot holders and visitors generally, and for the maintenance of decorum in the Cemetery on all occasions. He shall lock and unlock the gates of the Cemetery daily, under the rules and regulations of the Managers. He shall keep the walks and avenues in order and free from grass and other obstructions; trim the shrubbery and keep the ground clean, and attend to whatever may be thought necessary—maintain the same in proper condition under the directions of the managers. He shall attend to the visitors when called on for any explanation in relation to the ground, and if anyone should trespass or commit a breach of the rules, he shall report such conduct to the managers immediately thereafter. He shall not permit any intoxicating drinks to be used on the premises.

SEC. 8. Lots shall be conveyed to purchasers by lease or deed in fee simple, signed by the President, countersigned by the Secretary, and under the common seal of the association, all lots shall be used for the purpose of sepulture only, and shall be held subject to the provisions of the Act of Incorporation of this association; and also subject to the rules and regulations which may from time to time be adopted for the government of the association.

SEC. 9. Walls erected on lots must be within the limit of the lots, and when they are to be surmounted by a railing, they cannot exceed two feet in height, and no tomb, vault, railing, or other structure shall be raised more than three feet six inches above the adjacent ground, without the permission of the managers. Monuments may be erected so as not to obstruct any principal view or interfere with the general effects of the grounds, but no extensive improve-

ment of the kind can be constructed without the consent of the managers. No trees to be planted on or removed from any of the lots without the consent of the managers, and in case of the removal of the trees by the owner of the lot or otherwise, the timber shall belong to the corporation, who shall have it conveyed away and used as directed. Shrubs may be planted and flowers cultivated within the lots, according to the taste of the proprietors, so as not to obstruct the view or injure the symmetry of the grounds. All graves shall be dug at least six inches within the line of the lots, and of sufficient depth to prevent any injury to the health of the living. The earth in enclosed lots cannot be elevated above the level of the surrounding grounds without the consent of the managers. All railings erected shall be six inches from the lines of the avenues upon which they may be erected. The walls of vaults shall be at least nine inches thick, and the vaults shall be covered at least two feet with earth, stone, or other inservient substance. In the building of vaults, tombs, or other structures, a place will be designated by the Superintendent for the deposit of stone, brick or other material necessary therefor, which shall not be suffered to remain longer on the ground than is actually necessary, and shall be brought to and the surplus removed from the ground with as little injury to the avenues as possible.

SEC. 10. No interments can take place without a permit from the Secretary, or, in his absence, from the President or Treasurer, which must be handed to the Superintendent a sufficient length of time before the funeral to enable him to prepare the grave. All graves shall be dug by the Superintendent, and charges for interment shall be as follows: For digging, closing, removing surplus material, and sodding a grave for a person over ten years, \$3.00; the same for a person under ten years, \$2.00. Every grave over five and one-half feet in depth, \$1.00 extra.

Graves for adults shall not be less than four and one-half feet deep. And for those under ten years of age not less than three feet deep. When interments are to be made in private lots, some of the parties interested should be in attendance to designate the exact spot where the grave is desired, as the Superintendent cannot be responsible for errors occurring from the want of such information.

SEC. 11. A person becoming a member by the payment of \$20.00 shall receive a credit of the same on the purchase of a lot.

SEC. 12. No resolution, by-laws, rules or regulations shall be altered, amended or repealed, unless a proposition to alter, amend or repeal be made at a stated meeting and receive a two-third vote of the members of the Board of Managers present at the next or any subsequent stated meeting.

SEC. 13. That there be set apart as much ground as may be deemed necessary as a Potter's Field for the purpose of the burial of strangers and those unable to purchase lots.

RULES.

1. Hours of admission will be from sunrise to sunset.

2. No horse to be left unfastened without an attendant.

3. No vehicle to be driven faster than a walk along the avenues.

4. Coachmen are to keep on the main avenues, and after setting down, are to conform to such directions as may be given by the Superintendent.

5. No children admitted unless attended by their parents or guardians, or to be accompanied by some grown person having charge of them, who will be held responsible for their good conduct.

6. No dogs or firearms will be permitted on the grounds under any circumstances.

7. All persons are prohibited from cutting, pulling or defacing any tree, shrub, flower, or fixture within the Cemetery, or from writing upon any monument enclosed or other structure on or belonging to the same.

8. Persons wilfully mutilating, defacing, injuring or removing any tombstone, gravestone, or structure placed in the Cemetery, or any fences, railing, or other work for the protection or ornamenting of the

Cemetery, or of any structure placed therein, or shall discharge any gun or firearms within the same, is liable by the laws of this Commonwealth to fine and imprisonment.

9. No disinterment shall be allowed except by permission of the managers.

10. Visitors are requested to keep on the walks so far as the grounds may be laid out.

11. No person will be allowed to climb over the fence of the Cemetery, either on coming in or going out.

12. No money to be given to the Superintendent for admission.

13. The Board of Managers reserve to themselves the right of adding to, altering, or supplying the foregoing rules.

