

**CHARTER
BY-LAWS AND RULES**

OF THE

MOUNT BETHEL CEMETERY CO.,

OF

Columbia, Pa.

— — — — —
J. J. HESS, **President.**

A. J. KAUFFMAN, **Secretary.**

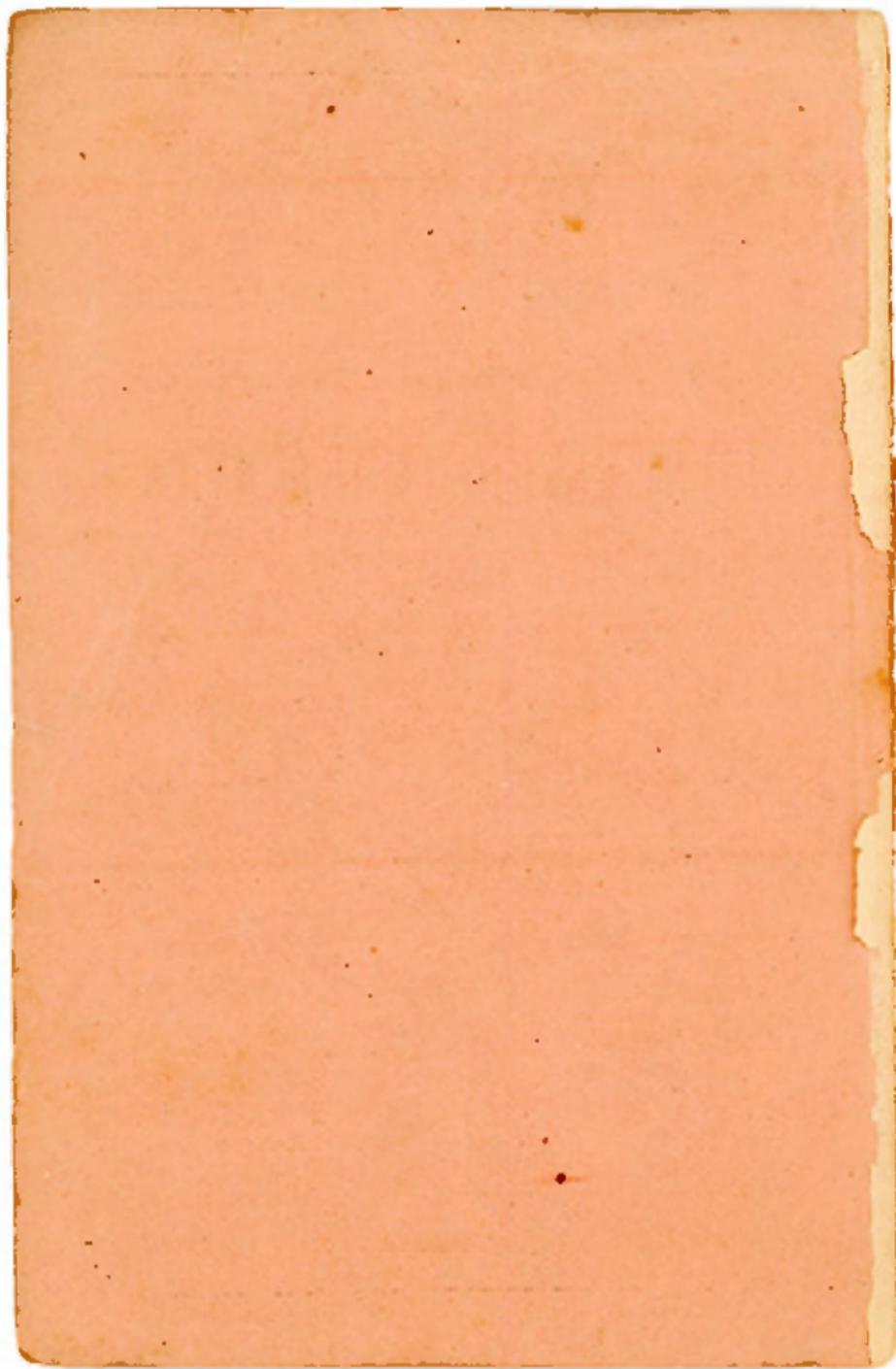
J. C. PFAHLER, **Treasurer.**

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PRINTED AT THE HERALD OFFICE.

COLUMBIA, PA.

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1871



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OFFICERS FOR 1871.

J. G. HESS, *President.*

A. J. KAUFFMAN, *Secretary.*

J. C. PFAHLER, *Treasurer.*

A. J. KAUFFMAN, *Solicitor.*

ROBERT SNEATH, *Sup't.*

—:o:—

Managers.

G. S. KAUFFMAN, **JAMES MYERS,** **J. G. HESS,**

J. B. BACHMAN, **J. H. MIFFILN,** **E. HERSHHEY,**

GEO. YOUNG, JR., **WM. PATTON.** **H. WILSON,**

—:o:—

Executive Committee.

J. G. HESS, **H. WILSON,** **E. HERSHHEY,**

Charter of the Mount Bethel Cemetery Company.

*To the Honorable the Judges of the Court of
Common Pleas of Lancaster County.*

The petition of the undersigned, all citizens of the Commonwealth of Pennsylvania, respectfully represents.

That they have associated themselves together and have a tract or parcel of land in the said County of Lancaster, containing about ten acres for the purpose of a Cemetery or Sepulture of the dead, and to carry out their intentions they are desirous that they and their successors shall, and may be incorporated and created a body politic and corporate by the name, style and title of The Mount Bethel Cemetery Company under the following articles and conditions :

Section 1st—Be it decreed by the Court of Common Pleas of Lancaster County by virtue of the powers vested in said Court, by the Laws of the Commonwealth of Pennsylvania, that J. Houston Mifflin, Samuel Truscott, John Q. Denney, C. S. Kauffman, Jacob C. Pfahler, James Myers, Samuel W. Collom, William Patton, J. G. Hess, Ephraim Hershey, Philip Gossler, John B. Bachman, Michael Lipbart, John W. Steacy, Michael S. Shuman, Hiram Wilson Frederick S. Bletz, Thomas A. Scott, Henry H. Houston, John J. Houston, and A. J. Kauffman, and their successors be and they are hereby created a body politic and corporate in law, by the name, style and title of The Mount Bethel Cemetery Company, and by that name shall have perpetual succession, and have and use a common Seal with such devices and

inscription as they may deem proper, and the same to break, alter and renew at their pleasure, and by the name, style and title aforesaid, shall be able and capable to sue and be sued, plead and be impleaded, to purchase, hold, possess, use and enjoy, sell and dispose of estate and property, both real and personal, and do all such other things as are incident to a corporation.

Section 2.—They shall be authorized and empowered to make and enact such by-laws, rules and regulations for the government of said Corporation as they may deem proper: *Provided however,* That said by-laws do not conflict with the Constitution of the United States or the Constitution and Laws of this Commonwealth.

Section 3.—The Capital Stock of said Corporation shall consist of Two Thousand Shares, the par value of each of which shall be Ten Dollars, each share of stock shall entitle the holder thereof to one vote, and said stock shall be transferable according to such by-laws or rules as said Corporation may adopt governing the same.

Section 4.—The officers of said Corporation shall consist of a board of nine Managers to be elected annually by the stockholders, on the second Tuesday of January, or on such other day as the by-laws may direct. But should such election not be held on said day, said Corporation shall not thereby cease, but the former Managers shall continue in office until their successors be elected. Said board of Managers shall chose one of their number as President, and they shall have the power to fill all vacancies that may occur in said board, and to elect such other officers as they may deem proper, or the interest of said Corporation may demand, and they shall fix the salaries or compensation of the same.

Section 5.—They shall have power to adopt such rules and regulations governing lot holders and visitors as they may deem proper, and may accept bequests, when made in accordance with the Laws of this Commonwealth, of both real and personal estate: *Provided however,* That they shall at no time hold more than Fifty Acres of Land. They shall also have power to adopt such rules and regulations governing the transfer of lots as they may deem necessary and proper.

Section 6.—To provide for the proper maintenance of said Cemetery in the future, the board of Managers are required to create a sinking Fund, and for that purpose twenty per centum of the money received for burial Lots in said Cemetery is required to be set aside until said fund amounts to Five Thousand Dollars, and no more, which amount the board of Managers shall invest as they may deem proper, and the interest thereof shall be expended in keeping said Cemetery in repair, but the principal shall never be impaired or lessened.

Section 7.—Until the next annual election the following named persons shall constitute the board of Managers, viz: J. Houston Mifflin, John Q. Denney, C. S. Kauffman, Jacob C. Pfahler, James Myers, J. G. Hess, Philip Goessler, William Patton and John B. Bachman.

J. H. MIFFLIN,	JOHN B. BACHMAN,
C. S. KAUFFMAN,	JAMES MYERS,
F. S. BLETZ,	J. G. HESS,
P. GOSSLER,	JOHN Q. DENNEY,
J. W. STEACY,	HIRAM WILSON,
Wm. PATTON,	H. H. HOUSTON,
SAMUEL TRUSCOTT,	M. LIPHAART,
J. C. PFAHLER,	S. W. COLLOM,
T. A. SCOTT,	E. HERSHHEY,
A. J. KAUFFMAN,	M. S. SHUMAN,
	J. J. HOUSTON.

Charter of the Mount Bethel Cemetery Company.

Trust Book No. 5, Page 7.

Petition and Charter presented by A. J. Kauffman, Esq., and the Court direct the following notice to be given. The Court having perused and examined the said instrument and its objects, articles and conditions therein set forth and contained, appearing lawful and not injurious to the community the Court direct said writing to be filed in the Prothonotary's Office, and also direct notice to be inserted in one newspaper printed in the County of Lancaster, for at least three weeks, setting forth that an application has been made to said Court to grant a Charter of Incorporation, and if sufficient reason to the contrary be not shown, the same will be granted at the next term of the Court of Common Pleas of Lancaster County.

And now, April 20th 1868. The notice of the application to said Court for a grant of Charter of Incorporation of The Mount Bethel Cemetery, Company, having been duly published for at least three weeks according to Law, in the Columbia Spy, a weekly newspaper published in the County of Lancaster, and no sufficient reason being shown to the contrary, the said Court decrees and declares, and hereby directs by this its order duly attested, that the said Charter or Act of Incorporation shall be recorded in the Recorder's Office of Lancaster County, and that upon being so recorded the said Charter or Act of Incorporation of the Mount Bethel Cemetery Company shall

become the Charter or Act of Incorporation of
said Company to all intents and purposes.

Attest.

Seal of the Court,

Wm. L. REAR.
Prothonotary.

Recorded in the Recorders Office in and for
the County of Lancaster, in Miscellaneous Book
"B" at page 477 &c.

Witness my hand and Seal of office this 20th
day of April, A. D. 1868.

J. BAKER,
Recorder.

BY-LAWS OF THE MOUNT SETHEL CEMETERY CO.

Section 1st.—The officers of this Corporation shall be a President, Secretary, Treasurer and Superintendent.

Section 2.—The President shall preside at all meetings of the Board of Managers, and shall call meetings of the board whenever he may deem it proper, or when requested to do so by two members of the Board; in his absence the Board may fill the vacancy *pro tem.*

Section 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 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 account book of the Treasurer. He shall (or in his absence the President or Treasurer may) on application issue permits to the Superintendent for interments 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.

Section 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 arisen 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 requests it) a general statement of the finances of the Corporation to be exhibited at the annual meeting 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 sum as the Managers shall require, conditioned, for the faithful performance of his duties, and for the delivery to his successors when required, all moneys, securities and evidences 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.

Section 5.—There shall be a Standing Committee of five to be taken from the Board of Managers, and appointed by them to serve six months, and until others are appointed. 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 Superintendent and control of the Board of Managers.

Section 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. In case of a disagreement between the members of said Committee as to the justice or propriety of paying any account, the matter shall be referred to the decision of the board at their meeting.

Section 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 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 grounds, 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 on 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 reside upon the premises as soon as the house can be constructed for his accommodation and shall not absent himself from the grounds.

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 trees and shrubbery in the woodland 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 any one should trespass or commit a breach of the rules, he shall report such conduct to the Managers immediately thereafter.

He shall dig the graves for all interments within the Cemetery.

He shall not permit any intoxicating drink to be used on the premises.

He shall find his own fuel, except such as he may be permitted to use by the Managers, of the dead or decayed trees or wood on the premises.

All fuel and domestic utensils must be kept within doors, or within the limits of the yard attached to his dwelling and no poultry,

chicken-house, or pig pens will be permitted.

Section 8.—Those who may purchase lots will have the ground secured to them, their heirs and assigns forever, for the purpose of sepulture alone, and for the burial of such persons as they may choose to admit: *Provided*. That such admission be free of charge, but owners of lots cannot transfer their lots to any others without the consent of the President and Managers of the Corporation, first had in writing.

Section 9.—Walls erected on lots must be within the limits 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 permission of the Managers.

Monuments may be erected so as not to obstruct any principal view, or interfere with the general effect of the grounds, but no extensive improvements of the kind can be constructed without the consent of the Managers.

No tree to be planted on or removed from any of the lots, without the consent of the Managers, and in case of the removal of a tree by the owner of the lot or otherwise, the timber shall belong to the Corporation, who shall have it conveyed away and used in such manner as the Managers may think proper to direct. Shrubbery 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, they shall be kept sodded and of uniform shape on the surface, and not more than eighteen inches high. The earth in enclosed lots cannot be elevated above the level of the

surrounding grounds, without the consent of the Managers.

All railing erected shall be six inches from the lines of the avenues upon which they may be erected.

The wall of vaults shall be at least nine inches thick, and the vaults shall be covered at least two feet with earth, stone or other impervious 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.

Section 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.

Charges for interment shall be as follows: For digging and sodding a grave six feet deep, of a person over eighteen years of age, five dollars (\$5).

Ditto, of a person between the ages of ten and eighteen, years, four dollars (\$4).

Ditto, under ten years, three dollars (\$3).

Every foot over six feet in depth, 50 cents.

Section 11.—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.

Rules.

- 1.—Hours of admission will be from sun rise to sun set.
- 2.—No horse to be left unfastened without an attendant.
- 3.—No vehicle to be driven faster than a walk along any of 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 be accompanied by some grown person having charge of them, who will be held responsible for their good conduct.
- 6.—No dogs or fire arms will be permitted on the ground, 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, enclosure or other structure on or belonging to the same.
- 8.—Persons wilfully mutilating, defacing, injuring or removing any tomb stone gravestone, or other structure placed in the Cemetery, or any fences railing or other work for the protection or ornamentation of the Cemetery, or of any structure placed therein, or shall discharge any gun or fire arm within the same, is liable by the laws of this Commonwealth, and of the Borough of Columbia, to fine and imprisonment.
- 9.—Visitors are requested to keep on the walks so far as the grounds may be laid out.
- 10.—No person will be allowed to climb over the fence of the Cemetery, either on coming in or going out.

11.—No money to be given to the Superintendent for admission.

12.—The Board of Managers reserve to themselves the right of adding to, altering or supplying the foregoing Rules.

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