

CHAP. 221. said instrument of writing shall be acknowledged before, and certified by said Judges, in the same manner as conveyances of real estate are required by law to be, and the said Judge shall direct that said charter of incorporation shall be recorded in the office for recording deeds in said county or city, and on said instrument being recorded, the persons so associated shall become and be a body politic and corporate, by the name stated in said instrument of writing; and by that name, they and their successors shall and may have perpetual succession, and shall be able and liable to sue and be sued in any court of law or equity, and may have and use a common seal, and the same may alter and change at pleasure, and shall have power to purchase and hold, not exceeding one hundred acres of land, and to receive gifts and bequests for the purpose of ornamenting and improving such cemetery, and to hold such personal property, as may be requisite to carry out the purposes for which cemetery companies are formed; *Provided*, that no company, to be formed under the provisions of this act, shall be authorized or empowered to purchase, or hold, or use for purposes of burial, any ground that shall be comprised within the limits of any city or town of this State, unless the corporate authorities of said city or town shall authorize the same.

Proviso.

Managers—
their powers
and duties.

SEC. 2. *And be it enacted*, That the company so incorporated may annually elect from its members, by a majority of the votes of the proprietors, at such time and place as its by-laws may specify, its managers; said managers to have power to fill all vacancies in their body, to lay out and ornament the cemetery grounds, erect necessary buildings, sell and dispose of burial lots, appoint all necessary officers and agents, fix their respective duties and compensation, 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, visitors to the cemetery, and for the transfer of stock, and the evidence thereof; and in all elections, each proprietor, or holder of stock, shall be entitled to one vote for each share of stock held by him or her.

No lanes, &c.
to be opened
through pro-
perty of said
corporation.

Proviso.

SEC. 3. *And be it enacted*, That no lanes, alleys, or streets, roads, canals, or public thoroughfares of any sort, shall be opened through the property of said corporation, used or appropriated for the purpose of burial; *Provided*, that nothing herein contained shall authorize said corporation to obstruct any public road, street or lane, now actually opened and used as such, or laid