

BY-LAWS, RULES AND REGULATIONS OF THE DELAWARE CEMETERY ASSOCIATION

BY-LAWS

1. The affairs of the Association shall be conducted by a board of five Managers, all of whom shall be elected annually on the first Tuesday of January of each year by the lot-holders, and in such elections each person owning a lot or lots shall be entitled to one vote and no more. And when several persons shall become joint owners of any lot or lots, they shall together cast but one vote at meetings or elections of the Association. Each person shall cast such proportion of one vote as he or she shall own of a lot or lots.
2. The Secretary shall give notice of elections by advertising or special notice at least ten days prior to the holding thereof, and shall furnish a list of names of persons entitled to vote. Elections shall be held in the village of Dingman's, at a place and by a lot-holder selected by the Managers, and shall be kept open from two to four o'clock P. M. And in default of an election from any cause, the Board of Managers in office shall hold over until their successors in office shall be duly elected; with power to fill vacancies.
3. At the first meeting of the Managers after the election in each and every year, they shall choose from their own body a President, Secretary and Treasurer. Meetings shall be held whenever called by the President or requested in writing by a member of the Board.
4. It shall be the duty of the President to preside at the meetings of the Board, to sign all orders on the Treasurer for payment of money, and to perform all other duties that pertain to such office.
5. The Secretary shall keep correct minutes of the proceedings of the Board of Managers, and of the meetings of the Association. He shall be the keeper of the seal of the corporation. He shall keep a register of the sales and transfers of burial lots, and of the execution and delivery of deeds thereof. He shall also keep a register of all the interments in the cemetery. He shall endorse, file and preserve all contracts and agreements entered into with and by the Board, and all other papers and documents belonging to the Association; and deliver the same to his successor in office. He shall draw, prepare and deliver the conveyances to the lot-holders, and perform all such other duties as shall be properly required of him by the Managers. All papers, books and accounts by him kept and in his possession shall at all times be accessible to the inspection of the Managers. For every deed by him drawn, prepared and delivered he shall receive from the Association the sum of one dollar.
6. The Treasurer shall keep correct accounts of all moneys received, and of the expenditures made by virtue of orders drawn on him, and he shall present the same for inspection and examination at the meetings of the Managers whenever requested, and he shall give such security for the faithful performance of his duty as the Board of Managers may demand.
7. The Board of Managers shall not be entitled to receive any pay or compensation for services as such. The proceeds from the sale of lots shall be applied only to the liquidation of the debt of the original subscribers, and to the purchase, improvement and embellishment of the cemetery.
8. Purchasers shall have their lots 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 free of charge, subject to the rules and regulations of the Association; but owners of lots shall not transfer them to other persons without the consent of the Managers first had in writing.
9. The lots shall be laid out, numbered and sold in such manner and at such prices as the Board shall from time to time direct. And suitable spots shall be appropriated for single interments either for strangers or others; and single interments by persons not lot-holders shall be allowed in the grounds specially appropriated for that purpose, upon obtaining a written permission from the Secretary and the payment of the established charges.
10. No person shall be allowed more than four burial lots without the consent of the Managers.
11. When lot-holders shall die without known heirs or devisees, the lot shall revert to the Association, who shall hold the same in trust forever, to protect the graves, monuments and improvements thereon erected from trespass and injury; and who may if expedient maintain and repair the same. And the Association shall have power to sell again such lots only in cases where no interments shall have been made therein.
12. Walks, hedges or other structures for enclosure on lots must be within the limits of the same, and walls when surmounted with a railing shall not exceed two feet in height. No tomb, vault, railing or other structure shall be raised more than three feet six inches above the adjacent grounds without the permission of the Board, and hedge or other enclosures shall not exceed four feet six inches in height. Wooden fences shall not be erected for enclosures, and lot-holders shall not raise the level or grade of their lots above the level or grade of the surrounding ground.
13. No tree shall be planted upon or removed from any lot without the consent of the Board of Managers, and in case of removal of a tree by the owner of a lot or otherwise the timber or wood shall belong to the Association, and shall be conveyed away or used in such a manner as the Board may direct. Shrubbery may be planted and flowers cultivated within lots according to the taste of the owners, unless in the judgment of the Board such shrubbery shall obstruct the view or injure the symmetry of the ground.
14. If at any time the Managers shall determine that any monument, effigy, enclosure or structure, or any inscription thereon upon any lot is offensive, objectionable or improper, or injurious to the appearance of the surrounding lots or ground, or in any way in violation of the regulations of the Association, the Managers may, and it shall be their duty, by their Superintendent or agents, to enter upon the lot and cause the objectionable or improper object or objects to be removed.
15. All graves shall be dug at least six inches within the line of the lots, and at such depth as the Board of Managers may direct. And no mound on same shall be more than eighteen inches high.
16. The walls of vaults shall be at least eight inches thick, and the tops shall be covered at least two feet deep with earth, stone or other impervious substance. And in the building of vaults, tombs or other structures places 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 grounds than is indispensable, and shall be brought to and the surplus removed with as little injury to the avenues as possible.
17. The Board of Managers shall appoint a Superintendent who shall have charge and keep an account of the personal property, tools and implements of the Association, and keep the avenues and walks in order and free from obstructions, and attend to whatever may be thought necessary by the Board to maintain the grounds in proper condition. He shall also dig the graves for all interments within the cemetery.
18. No interments shall take place until the name, age, disease and time of death of the decedent shall have been furnished to the Secretary, nor until a permit from the Secretary, or in his absence from a member of the Board, shall be obtained.
19. That the Board of Managers may receive any sum of money on deposit or that may be bequeathed to the Association in trust, and allow interest thereon at such rate as can be reasonably obtained, and apply the income arising therefrom under the direction and control of the Board to the repair, preservation and renewal of any tomb, monument, grave-stone, railing, fence or enclosure, or to plant and cultivate trees, shrubs, plants or flowers upon, in or around the lot or lots of such depositor or testator in the grounds of said Association; and apply the surplus of such income, if any, upon settlement made every six years, to the improvement of said Association's grounds. Provided, however, that the Managers shall not be responsible for their conduct in the discharge of any such trust except for good faith and such reasonable diligence as may be expected or required from mere gratuitous agents, and provided also that the said Managers shall not be required to make a separate and distinct investment of any sums deposited or bequeathed. A certificate under the corporate seal of the Association shall be granted to the person making such deposit, or to the person or persons entitled thereto as executors of the will of any testator, acknowledging the amount of such deposit or bequest, and the purposes for which the same was intended. The amount of such deposit or bequest, the interest received and the amounts paid out shall be entered on the register on the page on which the deed of the lot of such depositor or testator is recorded.

RULES AND REGULATIONS

1. The price of lots shall be from six to thirty dollars, and the whole amount to be paid when deed is made out.
2. No person shall be recognized as the owner of a lot, or exercise any of the rights of a lot-holder, until he shall have paid for the same and received his deed.
3. All persons are prohibited from gathering any flowers, wild or cultivated, or from breaking any shrubs, trees or plants in the cemetery.
4. Visitors making unseemly noises or otherwise conducting themselves unbecomingly will be required to leave the grounds forthwith by any Manager or the Superintendent.
5. No rapid driving shall be allowed, and no vehicle allowed to be driven except on the roads, and no horse shall be fastened therein except to posts provided for that purpose, nor left unfastened without a keeper.
6. Visitors are required to keep in the walks, and shall not be allowed to enter the enclosures belonging to others without permission; and are forbidden to bring refreshments on the grounds.
7. Children are not to be admitted upon the grounds except under the charge of an adult, who in all cases will be held responsible for their good conduct.
8. All planting is kept under control of the cemetery authorities and subservient to the general plan.
9. Graves shall be dug only under the direction of the Superintendent by workmen in the employ of the Association, and the fee shall be paid at time of granting the permit.
10. All funeral processions shall be under the direction of the Superintendent, after entering the cemetery.
11. Persons working upon or improving their lots shall remove all rubbish or dirt from the cemetery, or deposit the same under the direction of the Superintendent.

Adopted October 28, 1882. John G. Hood, Secretary.