



ENTRANCE TO THE CEMETERY.

CHARTER, BY-LAWS

AND RULES AND REGULATIONS

OF

Cave Hill Cemetery Co.

(INCORPORATED 1845.)

AND CHARTER OF

Cave Hill Investment Co.

(INCORPORATED 1882.)

LOUISVILLE, KENTUCKY.

ADOPTED A. D. 1901.

LOUISVILLE, KY.
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CAVE HILL CEMETERY COMPANY.

OFFICE BROADWAY AND BAXTER AVENUE.

Board of Managers.

J. H. M. MORRIS, PRESIDENT.

JOHN W. BARR.

ARTHUR PETER, VICE-PRESIDENT.

A. G. MUNN.

R. H. BLAIN.

W. H. DULANEY.

E. W. HAYS.

JOHN WHITE.

W. H. EDINGER.

L. D. CARTER,

ROBERT CAMPBELL,

Secretary and Treasurer.

Superintendent.

COMMITTEES.

FINANCE.

E. W. HAYS. W. H. EDINGER.
ARTHUR PETER. A. G. MUNN.
J. H. M. MORRIS.

BUILDING AND GROUNDS.

JOHN W. BARR. A. G. MUNN.
ARTHUR PETER. JOHN WHITE.
W. H. DULANEY. J. H. M. MORRIS.

FORMS AND RECORDS.

W. H. DULANEY. E. W. HAYS.
R. H. BLAIN. W. H. EDINGER.
J. H. M. MORRIS.

RULES.

JOHN W. BARR. R. H. BLAIN.
JOHN WHITE. J. H. M. MORRIS.

CHARTER
OF
Cave Hill Cemetery Company.

Chapter 194.

AN ACT TO INCORPORATE THE CAVE HILL CEMETERY OF LOUISVILLE.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

SECTION ONE. That L. L. Shreve, G. W. Bayless, Jedediah Cobb, James C. Johnson, Wm. B. Belknap, and James Rudd, and their successors in office be and they are hereby created a body politic and corporate in law, under the name and style of the "Cave Hill Cemetery Company," and by that name shall be able and capable in law to have and use a common seal, to sue and be sued, plead and be impleaded, to answer and defend in all courts and elsewhere as natural persons, and may ordain and put in execution such by-laws, rules and regulations for the government of said company and the management of its affairs as they may deem proper, not contrary to the Constitution or laws of this State or of the United States.

SECTION TWO. That the City of Louisville shall have the right and power, nine Councilmen concurring, to set apart, donate, and convey to the Cave Hill Cemetery Company any part of the Cave Hill arm, not more than fifty acres, to be perpetually

See amendment
approved Mch
9, 1854.

held and used for the purpose of a Rural Cemetery; and said Cave Hill Cemetery Company may take and hold any other land by devise or purchase, not exceeding one hundred acres, and may take and hold by gift or devise, money and personal estate, not exceeding one hundred thousand dollars in value.

See amendments approved Feb. 9, 1864, and May 28, 1896.

SECTION THREE. That said corporators may hold the office of Managers until the first day of June, 1850, and until their successors are appointed as provided for in this act, during which period they shall divide themselves into three equal classes: the first class shall go out of office on the first day of June, 1850, the second on the first day of June, 1851, and the third class on the first day of June, 1852, and thereafter one-third of the entire Board shall go out of office every year, subject to re-election; and the Mayor and Council of Louisville, a majority of all the Councilmen elect concurring, shall fill all vacancies which may occur from lapse of time, death, resignation, removal from the city, or from other cause, and all vacancies shall be certified to the Mayor and Council by the remaining Managers. A removal from the city or refusal to act shall be deemed a resignation of said office.

See amendment approved Mch. 12, 1870.

SECTION FOUR. That it shall be the duty of said Managers to elect a President from their own body who shall, as such, execute all contracts and obligations in the name of the Cave Hill Cemetery Company according to the order of the Board of Managers; and said Board of Managers and their successors in office shall have power and authority to lay out and improve the grounds held by said corporation, to erect all necessary buildings, to employ agents and laborers, to lay off and dispose of

burial lots by sale and conveyance upon such terms as they shall consider proper. It shall be the duty of said Board of Managers to elect a Treasurer and Secretary, who shall execute bond for the performance of the duties required of them, with such security and penalty as the Board of Managers shall require by their by-laws; and they shall cause a record of their proceedings to be kept, also an account of the receipts and expenditures of said corporation, and shall, on the first Monday in June in each year, report a general statement of said accounts to the Mayor and Council of the City of Louisville, with a list of lots sold, to whom, and at what price; and they shall have power and authority to make such by-laws, rules and regulations in relation to the duties, management, and appointment of officers and agents, and their pay, and to make all other necessary rules and regulations from time to time for the government of lot holders and visitors of said Cemetery.

See resolution of City Council & deed of City of Louisville, relinquishing all rights and franchises.

SECTION FIVE. That the proceeds of the sale of lots in the Cave Hill Cemetery shall be applied to pay the costs and expenses of improving and decorating said cemetery, to the payment of officers and services rendered, and to refund to the City of Louisville moneys advanced for the improvement of the grounds, and the surplus arising from the sale of lots shall from time to time, when not appropriated as above, be paid into the City Treasury, and the Treasurer's receipt taken therefor; which fund thus paid into the City Treasury shall be a permanent fund on which the city shall pay to the Cave Hill Cemetery Company an interest semi-annually, not exceeding six per cent per annum, to be applied alone to the repairs, preservation, and

See amendments approved Feb. 9, 1864, and Feb. 11, 1882.

protection of the Cave Hill Cemetery and its appurtenances; and if the keeping in repair, preservation, and protection of said Cemetery, and works, and buildings, and improvements shall not require a sum equal to said six per cent interest, the city shall be bound to pay only such per cent as will be sufficient to meet the cost of the same.

SECTION SIX. That after laying out said lots and adopting a plan of said Cemetery, no road or street shall be opened or extended through the same or any part thereof.

See City Ordinance for the protection of Cave Hill Cemetery, approved Dec. 29, 1899.

SECTION SEVEN. That the Mayor and Council are hereby vested with full power, and are required to pass all necessary ordinances with adequate penalties to protect said Cemetery and everything pertaining thereto from injury or damage; and said Cave Hill Cemetery Company shall have the right of action and recovery against any person or persons who shall in anywise injure any of the improvements, grounds, buildings, shrubbery, trees and walks within the boundaries of said lands laid out and conveyed to said Cave Hill Cemetery Company, and the recovery in the name of the city under any ordinance shall not be a bar to a recovery by said corporation.

JAMES F. BUCKNER,

Speaker of the House of Representatives.

Approved 5th February, 1848.

WM. OWSLEY,
By the Governor.

ARCH. DIXON,
Speaker of the Senate.

W. D. REED,
Secretary of State.

Chapter 276.

AN ACT TO AMEND THE CHARTER OF THE CAVE HILL CEMETERY.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION ONE. That the act incorporating the Cave Hill Cemetery, near the City of Louisville, be and it is hereby so amended as that it shall be the duty of the President and Managers thereof, when making their annual report to the Mayor and Council of the said city, to present a list of the lot holders in said Cemetery, and no person shall be elected a President or Manager of said Cemetery who does not own three hundred feet of ground or upwards in said Cemetery.

See resolution of City Council & deed of City of Louisville to Cave Hill Cemetery Co., relinquishing all rights and franchises.

See amendment May 28, 1896. (Section 5.)

SECTION TWO. That the charter be further amended so as that hereafter the lot holders in said Cemetery shall have the right to elect four, and the City of Louisville five, Managers of said Cemetery.

See amendment Feb. 9, 1864. (Section 3.)

GEO. W. JOHNSON,

Speaker of the House of Representatives.

Approved 17th day of February, 1851.

JOHN L. HELM,

By the Governor.

BEN. EDWARDS GREY,

Speaker of the Senate, pro tem.

JNO. W. FINNELL,

Secretary of State.

Chapter 800.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO
INCORPORATE THE CAVE HILL CEMETERY
COMPANY."

*Be it enacted by the General Assembly of the Com-
monwealth of Kentucky as follows :*

The City of Louisville shall have the right and power to donate and convey to said corporation any number of acres of land not exceeding three hundred, adjoining the lands now owned by said Company, and the said corporation may acquire by gift, devise, or purchase any number of acres of land not exceeding three hundred; but all lands acquired by said corporation shall be perpetually held and used for the purpose of a rural Cemetery.

CHAS. G. WINTERSMITH,
Speaker of the House of Representatives.

Approved March 9, 1854.

L. W. POWELL,
By the Governor.

H. G. BIBB,
Speaker of the Senate.

J. P. METCALFE,
Secretary of State.

Chapter 272.

AN ACT TO AMEND THE CHARTER OF CAVE HILL CEMETERY.

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

SECTION ONE. That said Company shall not hereafter be required to execute conveyances to purchasers of burial lots, but may, in lieu thereof, issue to purchasers certificates which shall vest in them the perpetual right to use the lots purchased as a burial place for the dead, and to improve the same at pleasure, subject to the rules and regulations of the Company. And neither the lots heretofore nor hereafter sold shall be subject to execution, or in any manner liable for the debts of the purchasers.

SECTION TWO. Be it further enacted, that the lands of said Cemetery Company, and all the lots in the Cemetery grounds, shall be forever exempt from taxation.

SECTION THREE. Be it further enacted, that all the Managers of said Company shall be elected by the lot owners voting in person ; and that all vacancies which shall occur before the day of annual election shall be filled until that day by the Board of Managers.

See amendment
approved May
28, 1896.
(Sections 1, 2, 4
and 5.)

See amendment
approved May
28, 1896.
(Section 3.)

SECTION FOUR. Be it further enacted, that the duties of Treasurer and Secretary may be devolved by the Managers upon one person, and they may pay him an annual salary not exceeding.....dollars.

See amendment
approved Feb.
11, 1882.

SECTION FIVE. Be it further enacted, that in pursuance of the contract entered into between said Company and the City of Louisville, on the 24th of March, 1859, the Company shall set apart one-fifth of the proceeds of the sale of all lots, and invest the same as often as may be convenient, so as to create a perpetual fund for the preservation of the Cemetery grounds, after a sufficient revenue shall cease to be derived for that purpose from a sale of lots; and the principal of said fund, so invested, shall never be used. So much of the fifth section of the Charter of said Company as requires the surplus of the sale of lots to be paid into the City Treasury is repealed.

H. TAYLOR,

Speaker of the House of Representatives.

Approved February 9, 1864.

THOS. E. BRAMLETTE,

By the Governor.

RICHARD T. JACOB,

Speaker of the Senate.

E. L. VAN WINKLE,

Secretary of State.

Chapter 174.

AN ACT TO AMEND THE CHARTER OF THE CAVE HILL CEMETERY COMPANY.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION ONE. That when the Trustees of said Cemetery Company may desire to acquire lands adjacent to their Cemetery for the uses thereof, and can not agree with the owners in respect to the price, they may, on motion in the Jefferson Court of Common Pleas, have a writ of *ad quod damnum*

awarded, which writ shall be directed to the Sheriff of Jefferson County, commanding him to impanel a jury of twelve good and lawful men of the County of Jefferson to meet on the land which the said Company wish to acquire, at a time and place of which notice shall be given by the Sheriff to the owner of the land. If said owner is a non-resident of this State, notice shall be given to his agent, if he has one in this State, or if he have no agent it may be given by publication in a daily paper published in Louisville for two weeks. The jury, after being sworn by the Sheriff, shall view the lands, and by hearing witnesses ascertain what will be a just compensation in money to each owner for the land proposed to be taken.

SECTION TWO. If the jury be not sworn on the day specified, or if they disagree and are discharged, or the case continued by the Sheriff, he shall execute the writ on such other day as he may appoint, notice being given to the parties interested in the manner above prescribed. If the inquest can not be completed in one day the Sheriff shall adjourn the jury from day to day until its completion. When the inquest is completed it shall be signed by the jurors and returned by the Sheriff, together with the writ, to the Clerk's office whence it emanated.

SECTION THREE. Either party may, on or before the first day of the next term of said Court after the return of the writ, file exceptions to the inquest, and the Court may for good causes quash the inquest and award a new writ, or it may overrule the exceptions and confirm the inquest. If there be no exceptions the inquest may in like manner be confirmed.

SECTION FOUR. Upon the confirmation of the inquest and the payment of the sum found thereby to the parties interested or into Court for them, the Court shall make an order confirming the title to the land condemned to said Company, and a copy of said order shall be recorded in County Court as Deeds are recorded.

SECTION FIVE. If the inquest be confirmed without exceptions, or notwithstanding exceptions by the Company, the Company shall be adjudged to pay the costs of the proceedings. In all cases the costs shall be adjudged against the Company.

H. TAYLOR,

Speaker of the House of Representatives.

Approved January 19, 1866.

THOS. E. BRAMLETTE,

By the Governor.

RICHARD T. JACOB,

Speaker of the Senate.

E. L. VAN WINKLE.

Secretary of State.

Chapter 199.

AN ACT TO EXEMPT THE TREASURER AND SECRETARY OF CAVE HILL CEMETERY IN JEFFERSON COUNTY FROM ALL JURY SERVICE.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION ONE. That the Treasurer and Secretary of the Cave Hill Cemetery, in Jefferson County, be exempt from all jury service.

SECTION TWO. That this act shall take effect from and after its passage.

JNO. T. BUNCH,

Speaker of the House of Representatives.

Approved 29th January, 1870.

J. W. STEVENSON,
By the Governor.

P. H. LESLIE,
Speaker of the Senate.

SAM'L B. CHURCHILL,
Secretary of State.

Chapter 656.

AN ACT TO AMEND THE CHARTER OF CAVE HILL CEMETERY.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION ONE. That so much of the charter of said Company as provides that the removal of a Manager from the City of Louisville shall be deemed a resignation of his office shall not apply to a removal to Jefferson County, but a residence in said city or county shall be a necessary qualification

of a Manager of said Company, a majority of whom shall reside in said city.

SECTION TWO. This act shall be in force from its passage.

JNO. T. BUNCH,

Speaker of the House of Representatives.

Approved 12th March, 1870.

J. W. STEVENSON, JOHN ALEXANDER,
By the Governor. Pro tem. Speaker of the Senate.

SAM'L B. CHURCHILL,
Secretary of State.

Chapter 177.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND THE CHARTER OF THE CAVE HILL CEMETERY COMPANY," APPROVED FEBRUARY NINTH, EIGHTEEN HUNDRED AND SIXTY-FOUR.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION ONE. That the Cave Hill Cemetery Company shall, from and after July first, eighteen hundred and eighty-two, pay to the Cave Hill Investment Company one-tenth of the proceeds of the sale of all lots thereafter sold by said Company; and that said payment shall continue until the fund belonging to said Investment Company shall amount to two hundred thousand dollars. These payments shall be instead of the payments required by the fifth section of the act to which this act is an amendment, and instead of the payments required by the contract entered into between the

City of Louisville and Cave Hill Cemetery Company on the twenty-fourth of March eighteen hundred and fifty-nine, and shall be in lieu of all payments due under said contract and section. This act shall take effect from its passage, but it must be accepted by the General Council of the City of Louisville, and by a majority of the votes cast by lot owners voting at an annual election held for the election of a Director or Directors of the Company.

Accepted by the
General Council
and by lot
owners.

W. C. OWENS,

Speaker of the House of Representatives.

Approved February 11, 1882.

LUKE P. BLACKBURN,
By the Governor.

JAMES E. CANTRILL,
Speaker of the Senate.

JAMES BLACKBURN,
Secretary of State.

Chapter 205.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE CAVE HILL CEMETERY COMPANY," APPROVED FEBRUARY FIFTH, EIGHTEEN HUNDRED AND FORTY-EIGHT.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION ONE. That the lot owners in Cave Hill Cemetery shall not sell the privilege of burying in their lots without the previous written consent of the Board of Managers of the Company. But they may by last will and testament, or by writing directed to said Company, signed by such owners and attested by two witnesses, determine who shall control the right of burial in their lots after their

See amendment
approved May
28, 1896.
(Section 4.)

death, and such directions may be placed in or on the certificate of ownership of the lot.

SECTION TWO. In the event that no such direction is made by last will and testament or by writing, as hereinbefore provided, the right of burial in any of the lots of said Cemetery shall go and descend to the lineal descendants of the original owner thereof, and the husbands and wives of said descendants in the order of their deaths, should application for such burial be made to said Company. Provided, however, that any of said descendants may release the right of burial for himself and all persons descended from him and their husbands and wives, by writing filed in the office of said Company and attested by the President or Secretary thereof. And in case there shall be no lineal descendants of said original owner, his heirs-at-law, in the order of their deaths and application therefor, shall have the right of burial in said lot; and the determination and decision as to any and all such rights of burial provided for in this section, and the order thereof by said Board of Managers, or by the President and Secretary thereof, shall be final and conclusive thereon. This act shall take effect from and after its passage.

See amendment
approved May
28, 1896.
(Section 4.)

CHAS. OFFUTT,

Speaker of the House of Representatives.

Approved February 21, 1884.

J. PROCTOR KNOTT,
By the Governor.

JAMES R. HINDMAN,
Speaker of the Senate.

J. A. MCKENZIE,
Secretary of State.

AMENDMENTS TO THE CHARTER OF THE CAVE HILL CEMETERY
COMPANY.

The Board of Managers of Cave Hill Cemetery Company, by virtue of an act approved March 22, 1892 (Sections 879 to 883 of the Kentucky Statutes), having heretofore complied with Section 190 of the Constitution, adopt the following amendments to the Charter of the said Company :

1. The Board of Managers shall have power to allow proxy voting by those entitled to vote other than the holders of certificates resident in Jefferson County, Kentucky. These must vote in person, but joint certificate holders may designate in writing one or more of their number to cast the vote.

2. The Board of Managers shall have power to require nominations for the office of Manager to be publicly made not more than thirty nor less than fifteen days before the date fixed for the annual election, and to prescribe such regulations therefor as may reasonably attain that object.

3. Vacancies in the Board of Managers shall be filled by the Board for the full term of such vacancy.

4. Where a lot owner shall die testate a mere residuary devise shall not be construed as including his interest in or control over any lot. In the absence of a specific devise or directions as provided for by Section 1 of amended Charter approved February 21, 1884, the lot of a deceased owner shall, as to the power of voting and the general control (except as to the right of burial), pass to the surviving husband or wife, as the case may be. If there be no surviving husband or wife, then to the oldest heir-at-law, and in succession, so that it shall always be vested in the oldest heir-at-law ; but the person having the present right may renounce the same in favor of the one next in succession, provided such renunciation be made in writing, filed with the Secretary of this Company. In case the person having such right of voting and control is an infant, his or her right is to be exercised by the statutory guardian. This is not to change the right of burial as set forth in Section 2 of an act to amend the Charter of this Company, approved February 21, 1884, except that said Section 2 is hereby amended thus: The surviving husband or wife of such lot owner shall have the right to reserve a grave at

such place in said lot as he or she may designate to the Company, and this right shall be superior to the right of any other person. The Company may prescribe the time within which such designation must be made to secure this right.

5. No person shall be considered a lot owner who shall not either jointly or severally own ninety or more square feet of ground in the Cemetery; and no person shall be eligible as Manager who does not jointly or severally own two hundred feet.

6. The Charter of this Company shall not be altered except upon the approval of a majority of those voting upon the question of amendment at the time of a regular annual election for Board of Managers.

7. These amendments shall be without force or effect unless a majority of those voting upon the question at the next annual election for Manager shall signify their approval of the same.

Approved by lot holders, May 28, 1896.

CAVE HILL INVESTMENT COMPANY.

Board of Directors.

JOHN W. BARR, J. H. M. MORRIS,
A. G. MUNN, FRANK N. HARTWELL,
 GEORGE W. MORRIS.

A. G. MUNN, J. H. M. MORRIS,
 Secretary and Treasurer.
President.

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CHARTER
OF
Cave Hill Investment Company.

Chapter 155.

AN ACT TO INCORPORATE THE CAVE HILL INVESTMENT
COMPANY.

*Be it enacted by the General Assembly of the Commonwealth of
Kentucky :*

SECTION ONE. That there is hereby incorporated the Cave Hill Investment Company, who shall, when organized as hereinafter directed, have full authority to contract and be contracted with, sue and be sued, and have such authority and power as a natural person would have in executing and carrying out the object of its incorporation.

SECTION TWO. There shall be five Directors of said Company, who shall have the control and management of its affairs. These Directors shall be lot owners in Cave Hill Cemetery. The President of Cave Hill Cemetery Company shall be one of said Directors, and the other four Directors shall be elected by the Board of Managers of Cave Hill Cemetery Company. The said Managers shall, at one of its regular meetings in the year eighteen hundred and eighty-two, elect four Directors. These Directors shall be elected for the term of two, four, six and eight years respectively, and the Board of Managers shall at the time of the election designate the term and time for which each Director is elected. The said Board of Managers of Cave Hill Cemetery Company shall, every second year thereafter, elect one Director in this said Company. The term of the Directors elected after the first election shall be eight years, and each Director shall continue in office until his successor is elected. If a vacancy shall occur by death or otherwise during the term of any Director, the vacancy shall be filled by the other Directors of this Company.

SECTION THREE. The Directors of the Company shall elect one of their number President of the Board, and shall elect a Treasurer and a Secretary, who may be the same person and need not be a Director. The Board of Directors shall prescribe the duties of the officers of the Company, and shall require of the Treasurer a bond with good security in the penalty of at least twenty thousand dollars.

SECTION FOUR. This Company is authorized to collect and receive from Cave Hill Cemetery Company any and all sums which may be coming from the Cave Hill Cemetery Company and any other corporation or person. It is authorized to receive donations, gifts, devises and bequests upon such terms as may be consistent with the object of its incorporation.

SECTION FIVE. It shall be the duty of the President and Directors of this Company to invest and keep invested all the money belonging to the Company in the bonds of the United States, the bonds of the State of Kentucky, or the bonds of the City of Louisville, but they may invest in other good and safe securities, if the President and all the Directors of said Company shall consent thereto in writing before said investment is made, and if a majority of the Managers of the Cave Hill Cemetery Company also consent in writing before said investment is made. These consents shall be recorded in record book of each Board respectively; and if any other investment is made except as herein provided, the Directors making or consenting to the same shall be personally liable for any loss arising from such investment.

SECTION SIX. The money and property of this Company shall be a sacred fund which shall be held and applied for the protection, preservation, and ornamentation of the grounds of Cave Hill Cemetery. All of the income arising from the property of the Company, after paying the necessary expenses of the Company, shall be invested and reinvested as provided in section five, and no part of the principal or the income arising from the funds and property of the Company shall be used for any purpose whatever, except for necessary expenses of the Company, until eight-tenths of the burial lots which are or may be laid off in the ground now owned by Cave Hill Cemetery Company are sold, or until said investment fund shall be at its par value worth two hundred thousand dollars. After said lots are sold, or after the par value of said fund is two hundred thousand dollars, the Board

of Directors of the Company shall devote such part of the net income arising from the funds and property of the Company as may remain after the payment of the necessary expenses of the Company toward the protection, preservation, and ornamentation of the grounds of the Cave Hill Cemetery Company, but no part of the principal fund shall ever be used. The income which is thus devoted shall not be used by the Board of Directors of this Company, but be paid over to the Managers of Cave Hill Cemetery Company to be used and applied to the protection, preservation, and ornamentation of said grounds, provided that nothing in this section shall prevent this Company from securing gifts, donations, bequests, and devises, and using the same as directed by the donors.

SECTION SEVEN. The Board of Directors shall, in the months of January and July of each year, make a true and full report of the condition of its affairs, and within thirty days thereafter send a copy thereof to the Board of Managers of Cave Hill Cemetery Company. The Board of Managers of Cave Hill Cemetery Company shall have the right at all times to examine into the condition of this Company, and for that purpose shall have full and free access to the books and papers of the Company.

SECTION EIGHT. The President and Directors shall have authority to make any by-laws not inconsistent with this act or the laws of the State.

SECTION NINE. This act shall take effect from its passage.

W. C. OWENS,

Speaker of the House of Representatives.

Approved February 11, 1882.

LUKE P. BLACKBURN,

By the Governor.

JAMES E. CANTRILL,

Speaker of the Senate.

JAMES BLACKBURN,

Secretary of State.

Chapter 194.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE
THE CAVE HILL INVESTMENT COMPANY," APPROVED
FEBRUARY ELEVENTH, ONE THOUSAND EIGHT
HUNDRED AND EIGHTY-TWO.

*Be it enacted by the General Assembly of the Commonwealth of
Kentucky:*

SECTION ONE. That the Board of Directors of said Company shall fix the penalty of the Treasurer's bond, and may require a new bond of its Treasurer as often as necessary, and fix the penalty thereof; provided the penalty of the Treasurer's bond shall not exceed thirty thousand dollars.

SECTION TWO. That so much of the original act as fixed the penalty of the Treasurer's bond is repealed, and this act shall take effect from its passage.

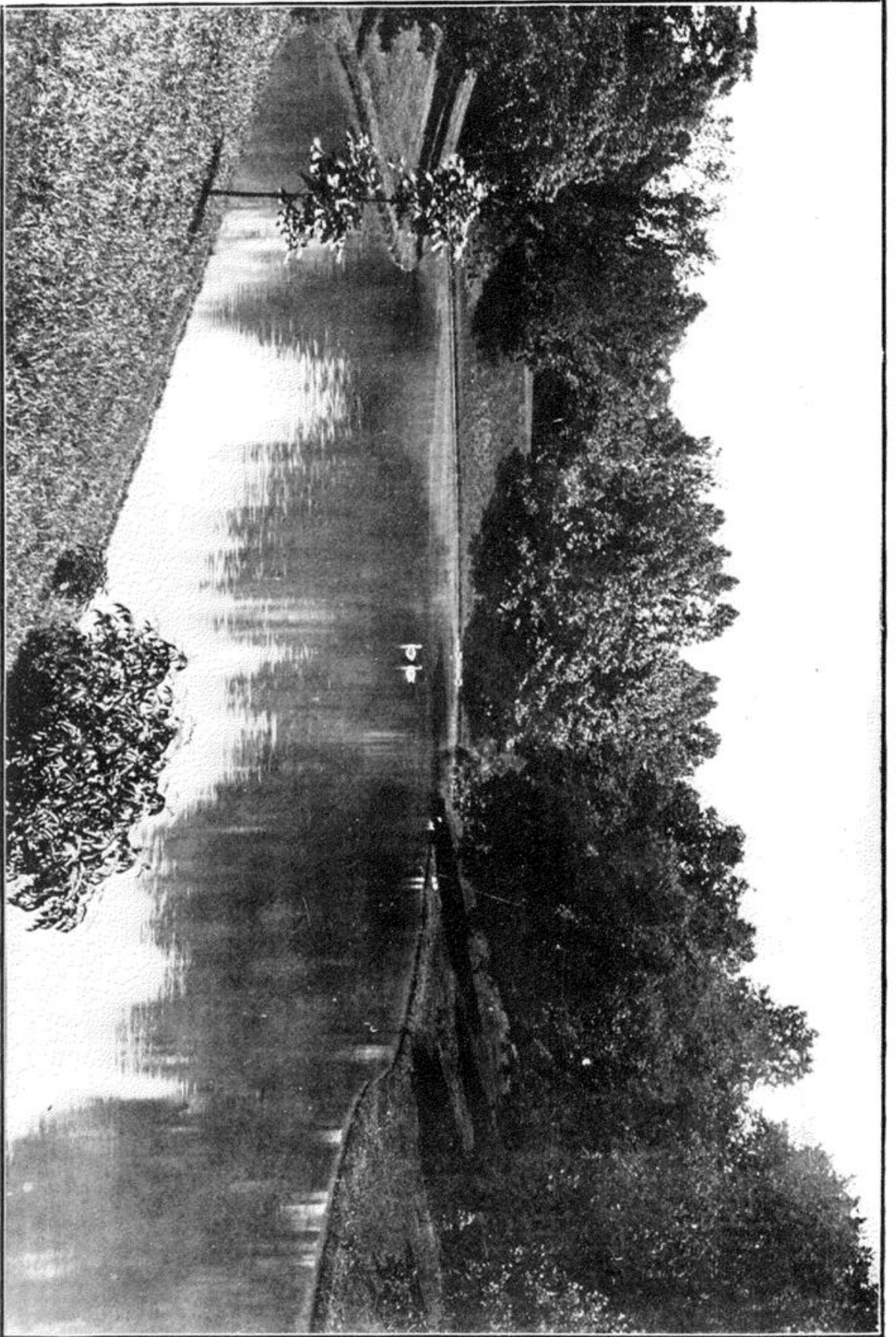
Approved February 20, 1884.

Form of Request.

I give to Cave Hill Investment Company the sum of
.....dollars (\$.....) to be held in perpetual
trust: with power in the Trustee to invest and re-invest the same
from time to time. The annual income of said fund shall be used
for the special care of burial lot No., Section....., in Cave
Hill Cemetery.

NOTE.—See Rules 20 and 21, page 61, relating to perpetual
care of lots.

NOTE.—A residuary devise does not include an interest in or
control over any lot. See Charter (1896), Section 4.



THE LAKE.

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Historical Sketch

OF

Cave Hill Cemetery.

This Cemetery owes its establishment to the efforts of the original Board of Managers, who, by their energy, taste, and wise foresight did so much to create, enlarge and adorn it, and to the liberal policy of the municipal authorities.

A legislative charter was obtained in February, 1848, which required by its terms that the grounds "shall be perpetually held and used for the purposes of a Rural Cemetery," and on the first day of June, 1848, the Mayor of Louisville, under the authority of the Council, conveyed to the Trustees, for the purposes recited in the charter "a certain parcel of land" about 47 acres, "lying on the south and east sides of Beargrass Creek, being a part of what was once known as the Cave Hill Farm." The deed was coupled with some reservations, such as rights of way to the city quarries, to the spring, etc., which were, however, subsequently released by the city authorities.

In accordance with a most appropriate usage the Managers determined to dedicate the grounds with religious services, which were carried out in a reverent and almost prophetic spirit.

To Mr. E. W. Gunter the Managers were indebted for the selection of an excellent choir. The singing of a hymn was followed by an impressive prayer by the Rev. E. W. Sehon. An ode prepared for the occasion by Mr. Fortunatus Cosby was sung, and the Rev. E. P. Humphrey, D. D., delivered the dedicatory address as follows :

ADDRESS.

I can not hope to enhance the impressiveness of this occasion. I shall attempt no more than to give utterance to a few of the sentiments suggested by the time, the place and the purpose of our assembly.

The time is in the last hours of the day. These falling shadows, admonishing us of the close of life, harmonize with the spirit of the scene.

The place has been devoted to the burial of the dead. Here the seed planted in the upturned earth has, in its decay, developed the germ of a new and fruitful life. To this spot, where we have been thus significantly taught that to die is to live again, we are to entrust the remains of the departed in the hope of their resurrection.

It is our purpose now, while engaged in the worship of God, to set these grounds apart to the last offices of affection.

We have, moreover, an assembly here profoundly interested in these proceedings. Within these enclosures many of us will hereafter bury our dead, and here many of us will ourselves be buried. On these sunny knolls, and in these shady dells, the earth will receive back to her embraces many of us her children, and here we, and those endeared to us, will await the morning of the resurrection.

There are some, it is true, who are, or who affect to be, indifferent to the disposal of their mortal remains. Perhaps they sympathize with the ancient sage who directed that his body, after death, should be burned and the ashes scattered to the winds; or, perhaps, they are agreed with another celebrated scholar of antiquity, in thinking it a weakness, peculiar to man, to feel any interest in the subject; or, possibly, a few, in bitter derision of every natural and proper sentiment, may admire the spirit of the Cynic who desired his remains to be exposed to the birds and beasts of prey.

Yet even they who cherish this unconcern respecting themselves, will confess to a sentiment of reverence and affection toward the dust of a departed friend. They require that the mortal relics be bathed and composed for the sepulture. They require a reverent burial, attended by the rites of religion and the signs of human sympathy, and then they mark the grave by the willow or the rose, the rude head stone, or the grand and polished marble.

This sentiment of reverence toward the dead is, except among barbarous tribes, a universal sentiment. Yet with what diversity, and often how unsuitably it expresses itself, may be known from the conflicting customs of mankind. In disposing of the dead, the Egyptians resorted to the art of embalming their remains; the Greeks laid them on the funeral pile, and we commit them to the earth. Different colors, moreover, have been adopted as badges of mourning; some families of the race have chosen the black,

and others the white, the grey, the yellow, or the violet, to express their grief. In Egypt the dead were subjected to the solemn trial; in Rome they were lauded in the extravagant eulogy. Some nations have buried their dead by day and others by night; some have celebrated the funeral rites in solitary grief and others in the pomp of processions and gladiatorial show and armies.

This inconsistency of practice and opinion still prevails. We bury our dead both amid the din and dust of the city and in the sequestered wood. Some prefer the public graveyard and others seek the retirement of private grounds. One would make the grave a flower garden, and another is contented with the bleak hillside or the unprotected common. Some find repose after death in a vault beneath the altar and others in an earthen grave under the broad light of day.

Now, amid this conflict of opinion and custom, it is the persuasion of many that the Rural Cemetery gives the happiest expression to what is approved in reason and religion, and to what is becoming in sentiment and taste in respect to this important subject. This persuasion has led to the establishment of the place of burial, within the precincts of which we are now assembled. The occasion, therefore, seems to require some statement of the principles involved in the idea of the Rural Cemetery.

One of these principles is that the remains of the dead should be laid in the earth. The practice which prevailed, anciently, among the Egyptians, of preserving the bodies of the dead, rested on their theory of transmigration and of the possible return of the soul, after the lapse of ages, to the occupancy of the body. The Peruvians were no less skillful than the Egyptians in this singular art. The bodies of their monarchs were embalmed, clothed in royal attire and placed in chairs of gold, the kings on the right and their queens on the left, within the great temple of the Sun. Their palaces and treasures and furniture were carefully preserved awaiting their return to earth. Great festivals were also held, from time to time, when their bodies were brought forth in pomp, and a feast served up in their presence with all the forms of courtly etiquette. But the true religion and philosophy have taught us to discard both the dogma of transmigration and the practice of embalming resting upon it.

Some attempts, it is true, have been made in modern times to imitate the Egyptian art. In an old chapel, near the city of Bonn, in Germany, the public curiosity is disgusted by the ex-

hibition of nearly twenty blackened and hideous corpses, the remains of persons preserved by the action of the atmosphere of the vault. It is said that near the city of Palermo about two thousand bodies of deceased ecclesiastics are to be seen in one cadavery, clothed in the habiliments of their order, but presenting a spectacle of unmitigated ghastliness. The irresistible laws of nature, no less than the decrees of the God of nature, teaches us that when the spirit returns to Him who gave it, "then shall the dust return to the earth as it was." Even if we could succeed in holding together the crumbling relics, their changed and unsightly appearance would prompt us to conceal them from the sight of the living.

The ancient Greeks, and after them the Romans, gave their dead to the flames and gathered their ashes in funeral urns. This practice was designed both to anticipate the process of natural decay and to enable the survivors to offer, on the funeral pile, sacrifices to the *manes* of the departed. But in the judgment of the early Christians, religion and humanity discountenanced the practice. They deemed it a cruelty to the survivors, and indeed a species of cruelty to the body itself. By the influence of the Christian religion the burial very early superseded the burning of the dead throughout the Roman Empire.

It were not difficult to show that the practice of interment is, alone, in harmony with the spirit of Christianity. For, in the first place, the burial of the dead is a touching recognition of the sentence, "thou shalt return unto the ground; for out of it wast thou taken; for dust thou art, and to dust shall thou return." Next, the sacred word, bringing life and immortality to light, has, in compassion to our fears, softened even the term by which death is described. It is a sleep. "Our friend Lazarus sleepeth and I go that I may awake him out of sleep," were the words of Jesus on a memorable occasion. If death be described as a sleep, then a place of retirement in the peaceful bosom of the earth, is most appropriate to the conception; and the word Cemetery, by which we describe the place of burial, becomes significant and beautiful, since its precise meaning is a resting or sleeping place.

Then, again, the word of God, revealing the sublime doctrine of the resurrection, teaches that the sleep of death is not eternal. It teaches, also, that the return of the dust to the earth as it was, is a preparatory step to its re-creation into a spiritual body. This mortal and corruptible must be dissolved, or changed, before it

can put on immortality and incorruption. Inspiration itself suggests the analogy between the sowing, the decay, and springing of the seed, and the burial, the dissolution and the resurrection of the body. "That which thou sowest is not quickened except it die. * * * So, also, is the resurrection of the dead. It is sown in corruption, it is raised in incorruption; it is sown in dishonor, it is raised in glory; it is sown in weakness, it is raised in power; it is sown a natural body, it is raised a spiritual body." This is a great mystery; yet the act of laying our dead in the bosom of the earth is in harmony with our faith touching their resurrection.

Of the various repositories for the relics of the departed, in use among us, the earthen grave is the most appropriate. The practice of depositing the dead within the precincts of churches has extensively prevailed. This practice has commended itself sometimes to the sentiment of reverence for the house of God, and sometimes, perhaps, to the sentiment of aristocratic pride. In the old world, the walls and pillars of the cathedrals and churches are crowded with inscriptions and with masses of monumental sculpture, in honor of those whose remains are beneath their pavements. We can easily believe that Westminster Abbey, in London, and the church of Santa Croce, in Florence, inspire with the deepest awe him who gazes upon the memorials of the mighty dead gathered within their walls. In the dim light and earthy dampness of these cathedrals for the dead, their very spirits seem to gather around us and we can almost hear their voices faintly echoing along the far-off arches. Yet we can hardly suppress the sentiment that the kings and heroes, and philosophers, and poets of England, whose relics lie crowded together in the gloomy and festering vaults of the Abbey were less fortunate in death than the peasantry of England, who are permitted to repose in her country church yards,

"Beneath those rugged elms, that yew-tree's shade,
Where heaves the turf in many a mouldering heap."

The remains of Galileo were, at his death, buried in the earth and afterwards transferred to a marble couch in Santa Croce. Yet we could almost wish to restore them again to the grave under the open sky of his native Italy, where the stars, the great astronomer loved so well, might resume their perpetual and grateful vigils over his dust.

I would even venture the suggestion that the practice of depositing the dead in capacious tombs is an unhappy expedient. If the design be to hold the mortal relics accessible either to the solicitude of friends, or the curiosity of strangers, the practice is most objectionable. Neither the eye of the living, whether stranger or kindred, nor even the light of day, should be suffered to profane the mortal dust, as it hastens to dissolution. Why should we desire to gaze on the debased and broken fragments of what was once so beautiful? Why should we not minister to them the charity of an undisturbed retirement?

It should be borne in mind, moreover, that accident and the wasting hand of time may lay in ruins the enclosures and walls of the tomb. The inevitable result is too obvious and painful to admit of a single remark.

The bosom of the earth is the proper place for the mortal dust. Not in the myrrh and swathings of Egypt, not in the funeral pyre of Greece, not in the damp and loathsome vaults of the cathedral, not even in the grassy tomb, but in the fresh earth, under the open sky, amid the beauties of sunlight and shadow, of running streams and verdure and flowers, there let the weary be at rest. We can not, if we would, prevent the dust from crumbling away; we would not if we could. We respond to the sentiment of Laertes in the poet, respecting his sister Ophelia,

"Lay her i' the earth;
And from her fair and unpolluted flesh
May violets spring."

We feel our spirits stirred by the sublime mystery of the promised resurrection, which teaches us to entrust to the earth that which shall be raised from its bosom in glory, by the power of God.

Another principle of the Rural Cemetery is the inviolable tenure, by which it is held for the purpose of burial. A conclusive objection may be urged against the establishment of family cemeteries in private grounds, suggested by the possibility of their desecration. The plantations in this region have been cultivated less than three quarters of a century, and yet, in passing from the possession of one proprietor to that of another, the family burial place has, in some instances, gone into neglect and become covered with rank vegetation; or, perhaps, the fences have been removed and the place burned over and "turned out,"

as the expression is, into the common field. Soon even the fact that the dead are buried there will be forgotten forever, unless the spade shall accidentally reveal their crumbling relics.

The same objection lies against the establishment of the Cemetery within the precincts of a populous city. In the course of a few years it is filled with graves, and then abandoned for another enclosure. A few of the survivors remove the remains of their friends to the new burial grounds, until there are none to care for the "old graveyard." The monuments are dilapidated or broken down, the walls are prostrated, and it becomes an object not only of neglect but of aversion. The most that can now be expected is that trees may be planted on its surface and the place converted into a public square. Otherwise, it becomes a common pasture or play ground, or it is chosen for the site of a railway station, or, very possibly, it is divided into building lots and sold under the hammer. This is not an exaggerated statement. Is there a city in the country, which has attained the antiquity of half a century, that is not obnoxious to the reproach of a neglected or desecrated graveyard? If the buried in some of our cities were suddenly reanimated, would they not start up from the foundations of the warehouses and dwellings, or even from beneath the stones of the streets? The "mummy becomes merchandise," the shame of Egypt, has its counterpart of shame among a people who sell and buy the graves, aye, the bones, of the dead.

Now it is one of the indispensable conditions of the Rural Cemetery that its possession as a burial place be made perpetual and inviolable. The authority of the law, and the public sentiment and conscience, must be successfully invoked to guard our graves from the cupidity of our survivors. In the oldest records of the race it is related that a venerable patriarch, on the death of his wife, applied to the people of the neighborhood for a burial place. One of them offered to give him a field for the purpose. He declined the generous offer and urged them to sell him the enclosure and to accept its value. They consented to his request, and he purchased the place for "four hundred shekels of silver, current money with the merchant;" and as we read in the narrative, "the field and the cave which was therein, and all the trees that were in the field, that were in all the borders round about, were made sure unto Abraham for a possession of a burying place."

We shall do well to profit by this example of patriarchal sagacity. It becomes us to see to it that this spot be made sure for the uses of the burial place. It must be guarded from the rapacity of the buyers and sellers of another generation. If this complete security can not be gained, nothing is accomplished, and we must abide, as best we may, the mockery and dishonor attached to a spot which is the cemetery to-day and which may be the shambles to-morrow.

The maxim, that the earth belongs not to the dead but to the living, is relied on to furnish an apology for devoting to other purposes the place which has been used for the burial of the dead. But on this very maxim do we rest our argument for its perpetual consecration. It becomes to the living an object of increasing interest as successive generations are brought within its gates. Its ancient monuments, its pious inscriptions, its moss-covered headstones, its venerable shades, the memory of the great and good of olden time, constitute a legacy of imperishable moral wealth to those who come after. Themistocles could not sleep, so much was his spirit fired by visiting the graves of the illustrious dead. The Romans buried their most honored citizens along the Appian Way, that the youth, as they entered the city, might be moved to emulate their virtues and share their renown. To this day, the tomb of the Scipios remains to perpetuate the memory, at least, of old Roman valor. The early Christians worshiped God at the graves of the martyrs to reassure their faith and to catch the spirit of those "of whom the world was not worthy." The patriot leads his sons to the tomb of Washington to engage them to imitate his great and brave example. None, scarcely, can be so dead to virtue as to visit the graves of the great and the good without some aspirations after a better life. There is a beautiful significance in the miracle recorded in the sacred word. The dead man cast into the sepulchre of Elisha, when he touched the bones of the holy prophet, revived and stood on his feet.

We adhere, then, to the maxim, that the earth belongs to the living. That spot, especially, to which we entrust the remains of our dead, belongs to us and to our children. It must not be given away; it must not be sold; it must not be taken from us. Religion, conscience, reverence toward the dead, and humanity toward the living, all, with one consent, plead for the sacredness of the spot—for its sacredness forever.

Next, we observe that the Rural Cemetery provides a place where families and friends may rest together. We have adverted to the arrangement made by Abraham for a burial place. Not only did he hold the enclosure for a sure possession but he established there a family cemetery. His wife was its first tenant, afterwards the patriarch was placed by her side. More than a hundred and fifty years afterwards, when Jacob, his grandson, was dying, he charged his sons to bury him with his fathers in the cave which Abraham bought with the field for a possession of a burying place. "There," said the dying Jacob, "they buried Abraham, and Sarah his wife; there they buried Isaac, and Rebecca his wife; and there I buried Leah." This patriarchal conception of the family burying place has the capital merit of gathering about the spot the associations of home and kindred. The family cemetery is as dear to the heart as the family home; or, rather, as one by one of our kindred is removed from the home of the living to the house of the dead, we come to regard that spot as itself the home. Our domestic associations are transferred to the spot where they repose, around whose memory these associations forever linger.

In all our wanderings, our hearts acknowledge the attractions of the holy spot, where sleep our parents and our children. If that place be theirs and ours forever, little do we care who may occupy our patrimonial acres, or whose head may repose under our native roof. Even our Indian tribes, as they retire from advancing civilization, cast their last look behind, not on their corn fields and hunting grounds, but on the graves of their fathers.

Now the Rural Cemetery meets this lofty sentiment of our nature. It offers the advantages of family cemeteries on private grounds, while it obviates the insecurity attending them. It invites us to a place where we, and those who love us, may lie down together; where our families, divided by death, may be gathered again in the grave. It is not forgetful of the stranger who may die among us, for it offers to his dust a quiet resting place. But it is, in the main, a grouping together of family burial places, giving to each household a spot sacred to the repose of its dead.

We further observe that the Rural Cemetery should be established beyond the limits, present and prospective, of the city. This is important, in the first place, that the marketable value

of the grounds may not tempt the cupidity of our survivors. Next, the rural character essential to the idea of a Rural Cemetery can not otherwise be secured. We should seek for our dead a place of retirement. They have worn life away amidst the tumultuous din and corroding cares of the city; let us afford them, in death, a refuge amidst the tranquility and verdure and sweet influences of nature. Considering the Cemetery, moreover, as a resort for the living, as well as a refuge for the dead, we should select a spot which may be secure from intrusion, and afford us quiet communion with memory and hope and love. It should not be accessible to holiday crowds, nor disturbed by the heel of pleasure or the laugh of boisterous gaiety, but should be sacred to the repose of the dead, and to the tears of affection and the breathings of devotion.

The Rural Cemetery, moreover, should be appropriately decorated. I am not aware that any prejudice exists against the embellishment of the cemetery. The burial place of Abraham's family was adorned with trees, and the sepulchre of our Saviour was in a garden. The most appropriate adornments of such a place are the trees, and shrubs, and flowers, which are, by common consent, emblematical of the life, and death, and hopes of man. "He cometh forth as a flower and is cut down," is one of the plaintive strains of inspiration itself. "We adorn," says an old writer, "the graves with flowers and redolent plants, just emblems of the life of man, which has been compared in the Holy Scriptures to those fading beauties, whose roots, being buried in dishonor, rise again in glory."

"I would have a dry death," says Jeremy Taylor, "but am not very desirous to have a dry funeral; some flowers sprinkled on my grave will be well and comely, and a soft shower to turn the flowers into a springing memory and a fair rehearsal."

A proper taste will regulate the character of the trees and flowers, and their distribution and arrangement. It will tolerate nothing in the style of the flower garden or the pleasure grounds; nothing, in short, that is inconsistent with the proprieties of the place. But reason and taste suggest that it should be decorated appropriately by the beautiful productions of our great Creator.

The cypress, the oak, the elm, the weeping willow,

"Trailing low its boughs to hide
The gleaming marble,"

the magnolia, the silver-leaved maple, the larch, the mountain and the weeping ash, should adorn the ground with their pale or deeper verdure, and their refreshing shade. As in the frosts of autumn they cast their leaves, they will admonish us that "we all do fade as a leaf." The white pine, the juniper, the hemlock-spruce, the arbor vitæ, the yew, and, if possible, the cedar of Lebanon,

"With fair branches and a shadowy shroud,"

should lift up their perpetual verdure here, the emblem of a life that passes not away.

The English ivy, the Virginia creeper, the glycine and the eglantine should be planted here to bind together turf, and tree, and marble.

The green and flowering shrub, the rhododendron, the mountain laurel, and the azalea should be here; the white jessamine also, the daisy, and first in beauty and appropriateness, the rose,

"And every flower that sad embroidery wears,"

should in the morning shed their fragrance, and in the evening scatter their withered blossoms over the graves of those we love :

"Bid amaranthus all his beauty shed,
And daffodillies fill their cups with tears."

And then let the humbler vines

"That on the green turf suck the honeyed showers,
And purple all the ground with vernal flowers,"

the violet, the periwinkle and "forget-me-nots," creep from grave to grave.

How beautiful the language, in our great poet, of him who mourned Fidele,

"With fairest flowers,
While summer lasts, and I live here, Fidele,
I'll sweeten thy sad grave. Thou shalt not
Lack the flower that's like thy face, pale primrose, nor
The azured hare-bell, like thy veins; no, nor
The leaf of eglantine, whom not to slander,
Out-sweetened not thy breath; the ruddock would,
With charitable bill, (O bill sore shaming
Those rich left heirs, that let their fathers lie
Without a monument!) bring thee all this;
Yea, and furred moss besides, when flowers are none,
To winter ground thy corse."

Such is the Rural Cemetery. It is a place for the burial of the dead. Its possession is inviolable. It is a family burial-place; remote from the city, and decorated with what is beautiful in nature.

Religion, and taste, and sentiment vindicate these principles. The bleak hillside, or the unprotected and barren field, is not suitable either for the living or the dead. Let the place of graves be rural and beautiful. Let it be under the free air and cheerful light of heaven. Let trees be planted there. Let the opening year invite to their branches the springing leaf and birds of song, and when the leaves and birds are gone, let the winds summon from their boughs sweet and melancholy strains. Let the tokens of fond remembrance, in the shrub and flower, be there. Let the murmuring of the gentle rill be there. There let the rising sun cast westward the shadows, admonishing us of life's decline, and then let the evening shadows point to the eastern sky, in promise of another and brighter day. Amidst ever-changing beauty and harmony, where the decay and renovation of nature may perpetually remind us that we must die, and that to die is to live again, there let the dust return to the earth as it was.

I have now submitted a brief view of the elements which enter into the conception of the Rural Cemetery. But the further inquiry arises whether the burial place, to be established within these enclosures, fulfills the conditions which have been mentioned. Let us consider this inquiry.

This Cemetery owes its establishment to the liberal policy of our municipal authorities. The estate has been purchased by the Mayor and Council, and by them conveyed to a Board of Trustees. This Board acts under a perpetual charter, granted by the Legislature of the Commonwealth. It is required by the terms, both of the charter and the deed of conveyance, that the grounds "shall be perpetually held and used for the purposes of a Rural Cemetery." The lots are to be made sure to the purchasers by every appropriate form of law. It is to be a burial place forever. A Superintendent, skilled in his profession, is to be employed, whose care it will be to cultivate the shrubbery and foliage which may be planted here by the hand of affection. The proceeds of the sale of lots are to be devoted, in the first place, to the arrangement and decoration of the grounds. The further proceeds are to form a permanent fund, the income of which is to be used for the protection and care of the prem-

ises. It is understood, even if interments should at any time cease to be made here, that the Trustees and their successors are required to expend, from the income of the fund, whatever may be needful to preserve the place from neglect and desecration.

The grounds themselves are admirably adapted to the purpose. The soil is firm and dry. The place is sufficiently near the city for convenience of access, and sufficiently remote to protect its tranquility. The surface is flowing and diversified. The gentle slope, the swelling hillside, the shady glen, the lawn and copse are here. One of the peculiar features of the grounds may be seen in a series of wide, grassy bowls, occurring separately, or joined together at their rims in groups. Another feature, susceptible of the highest embellishment, is a perennial rivulet, flowing from the mouth of the cave, and clothing its margin with verdure. Some persons, it may be, will regret the absence of the aboriginal forest. But they may, perhaps, be convinced, on reflection, that the loftiness of our forest trees exposes them to the violence of the winds, while those planted in the open field take firmer root and afford a broader shade. The exercise of taste, in the choice of trees and shrubs, and their distribution over the grounds, will soon supply any seeming deficiency in this respect, and a few years will furnish the foliage and display the arches and columns of a new forest temple.

After you have examined the grounds, then ascend the eminence and enjoy the landscape which spreads itself abroad. If it be wanting in the elements of grandeur, it is rich in those of rural beauty. The green meadow, the fields of waving grain, the cultivated garden, the homes of our friends half revealed amid the foliage, the sunny lawn, the deep old wood, the shadowy cave, the weary highway, and the gushing and redundant fountain, all are here. Here, also, is the stream meandering at our feet, and moving, with reluctant flow, from these sequestered shades to the glare and din of the city. Yonder is the majestic river, refreshing every shore it visits, and bearing on its flood our argosies of wealth and our palaces of pleasure. Yonder, also, is the city, with its roof, and spire and dome. Beyond the city are the wooded hills. Beyond the hills are the setting sun and gorgeous western sky. Beyond the sky, and beyond the sun, over field, forest and flood, over the homes of the living and the graves of the dead, over all, and embracing all, is Heaven.

And now let us complete the duty which has brought us here to-day. We are to devote these grounds, first, to the repose of the dead. How soon, and how rapidly, will they begin to gather here. From the saloon of gaiety and from the abode of hopeless sorrow, from the bed of down and from the bed of straw, from the clasping arms of affection and from the tearless funeral, hither do they hasten. Youth and beauty, the strong man and the feeble, the rich and the poor, the loved one and the stranger, gather here. Old age brings hither its silvery hairs, childhood its ringlets, and infancy its earliest smile. They come! They come! Procession follows procession, until the city of the dead is more populous than the city of the living.

We are to devote these grounds, not only to the repose of the dead, but to the highest purposes of the living. They, also, will frequent these solemn shades. This will be a place, not for weeping only, but for the lifting up of the eye of faith and the voice of prayer. It shall be called a Bethel as well as a Bokim. Hither the timid will come to reassure their faltering resolution. The good man will here renew his strength, and the prodigal will return from his wanderings and his guilt, to seal his repentance at a mother's grave. To the living, then, as well as to the dead, do we devote this guarded enclosure.

We have spoken much of death and the grave; let us not forget Jesus and the resurrection. It is our faith in Him, who is "the resurrection and the life," that has brought us here to-day. If no Saviour and no resurrection were revealed, we should not have a word to say; we could only fall upon our faces and weep and shudder together over the frightful gloom and corruption of the sepulchre. If there be no hope of the resurrection of the body, and the salvation of the soul, far be it from us to embellish the place of graves. The marble and the epitaph, the shrub, flower and tree, vernal beauty and fragrant bloom, the "notes of happy birds," the insect's glowing wing, the running stream, the murmuring breeze, the cheerful light of day, every rural sight and sound would but mock our catastrophe. I do not wonder that the heathen philosopher, in his ignorance of the Christian's hope, designated the most unsightly and barren ground as suitable for sepulture, nor that the pagan emperors were confounded as they saw the early Christians bury their dead with psalmody in the procession, and thanksgivings at the tomb.

Jesus and the resurrection! Let me repeat the joyful words. They speak to us of an atonement for sin, redeeming the soul from death and the body from the grave. Death is no longer death, but a sleep. The graveyard is not now a dungeon, but a cemetery—a resting place. Nor is the grave a Golgotha, but an outer chamber, where the soul, unclothed of the mortal and clothed upon with the immortal, may robe itself for the presence of God.

Behold, the stone is rolled away from the door of the sepulchre, and angels, in raiment white as snow, are sitting within. They bid us believe on Him who hath taken away from death its defilement, and from the grave its gloom. When we go thither to bury our dead, they bid us not to sorrow, “even as others which have no hope. For if we believe that Jesus died and rose again, even so them also that sleep in Jesus will God bring with him.” The eye of faith, piercing the clouds which rise from earth to obscure the heavens, shoots

“Far glances into glittering worlds beyond
The twilight of the grave, where all is light,
Golden and glorious light, too full and high
For mortal eye to gaze on, stretching out
Brighter and ever brighter, till it spread,
Like a wide, radiant ocean without bounds,
One infinite sea of glory.”

And, now, in a blended recognition of the decree that the living must die, and of the promise that the dead shall live, let us devote these grounds to the uses of Christian sepulture. May all, who shall be buried here, sleep in Jesus. May this be the scene of their rest, and the scene of their resurrection. And when they shall come forth from the dust, amidst the splendors of Christ's appearing, and the ruins of dissolving nature, may they all, with one consent, through the grace and power of God, raise the triumphant song, “O DEATH, WHERE IS THY STING? O GRAVE, WHERE IS THY VICTORY?”

After the address, the choir sang the beautiful and appropriate hymn, written by the Rev. W. A. Muhlenberg, D. D., rector of the Church of the Holy Communion, New York City.

“I would not live alway; I ask not to stay
Where storm after storm rises dark o'er the way;
The few cloudy mornings that dawn on us here
Are enough for life's woes—full enough for its cheer.”

The solemn and interesting services were closed with a prayer and benediction by the Rev. Mr. Gallagher, rector of St. Paul's Church. It was not until after the second donation of land by the city, and the purchase of the twelve acres from W. F. Pettet (which furnished the present beautiful entrance), that the Managers felt they had under their control a Rural Cemetery which could meet the demands of the community. But the area was not yet sufficient for the prospective needs of a great and growing city—and with this growth came the apprehension of masses of population settling upon subdivisions of the larger tracts of land which environed the Cemetery, and which would thus hem it in and prevent its increase to full symmetrical proportions. The need of additional ground was so imperative that several tracts were purchased. Since that time, and as opportunity offered, to carry out that wise and far-seeing policy, the Managers have purchased adjacent lands, and now the Cemetery contains 280 acres, with well defined limits and bordered on three sides by public roadways.

Outside of these boundaries the tide of population may ebb and flow ceaselessly; but within these sacred limits the quiet resting place of our deceased loved ones will, we trust, remain forever undisturbed.

On the 16th of June, 1848, the Board of Managers was organized, with the following named members:

James C. Johnston, James Rudd, John P. Morton, Joshua B. Flint, Thomas E. Wilson and T. S. Bell.

One of the first acts of the Board was the appointment of a Superintendent, to whom the general plan and landscape gardening were to be assigned, and, after careful investigation, David Ross was selected for this responsible position. He conceived and mapped out the present admirable plan of the Cemetery, which the management has merely amplified and extended without change as additional land has been acquired.

Mr. Ross died in 1856, and was succeeded by his brother Robert, who had received his training at Chatsworth, the magnificent estate of the Duke of Devonshire. He served the Company faithfully until his death in 1890. To these two brothers, in an eminent degree, the Managers owe many of the most appropriate, tasteful, beautiful and useful features of the Cemetery. "If you seek a monument, look around."

Of those who have served as Managers of the Company the

following named have gone to their rest, and now lie buried in the Cemetery they loved :

“Where the forest weaves
 Its ceaseless undersong,
 And voices 'mid the leaves
 The symphony prolong ;
 Where summer flowers unfold
 Their wealth of fragrant bloom ;
 Where for the young,—the old—
 Is reared Affection's tomb.”

James C. Johnston, John P. Morton, Thomas E. Wilson, T. S. Bell, Joshua B. Flint, H. A. Griswold, Isaac Everett, Abram Hite, George L. Douglass, Bland Ballard, James Trabue, William Kendrick, Z. M. Sherley, James Irvin, R. C. Hewett, R. J. Menefee, John K. Goodloe, W. C. Hite, William Allen Richardson and Thomas P. Jacob.

In the year following the death of Robert Ross, Mr. Robert Campbell was elected Superintendent, and of his efficiency, the best proof is to be found in the many improvements made under his direction, and the excellent condition of the Cemetery since he has been in charge.

Of the 280 acres owned by the Cemetery, only 130 acres have been thus far laid out in lots, although the entire acreage has been mapped, showing the avenues, walks and reservations, so that additional lots and improvements may be made on the general plan as the demand requires.

It is estimated that even if there should be no new acquisition of territory, the present holding, allowing for the increase of the city's population, will suffice for cemetery purposes for at least sixty years. Without encroaching upon the reservations, each acre is sufficient for 520 adult graves.

The interments to date, December 31st, 1900, number 33,493, viz :

| | |
|--|--------|
| In the National Cemetery | 4,141 |
| In the Confederate Soldiers' lot | 265 |
| In single graves | 7,645 |
| In private lots | 21,442 |

No account of Cave Hill Cemetery would be complete which failed to notice the great beauty of the trees, shrubs and flowers, which include almost every variety, indigenous and exotic, which can be grown in this climate.

The avenues, or driveways, of stone and gravel, are eight miles in length, and are well drained by ample sewer pipes and catch basins. A beautiful feature, perhaps not to be seen elsewhere, is found in the twelve miles of walks covered with substantial bluegrass sod. There are more than four miles of water mains, and 6,521,812 gallons of water were used during the season of 1900 on the grass and flowers and to supply the lily ponds. The area of the lakes and the lily ponds is 174,810 square feet, in which are planted nineteen or more varieties of water lilies, including some very rare ones. The Egyptian lotus, and its more beautiful Japanese sister, grow here in perfection. A charming feature of the landscape is the vine clad cliff, at the base of which is a velvety sward and many beautiful flowers.

For the convenience of visitors the Company has provided three handsome park carriages, which leave the entrance at stated intervals, conveying passengers through the Cemetery at a nominal cost.

The entrance to the Cemetery is from Baxter avenue, at the head of Broadway, where several electric car lines converge. A double gateway is flanked on either side by cut stone buildings for offices, waiting rooms and gatekeeper's lodge. The tower is provided with a clock, and is surmounted by a life-size copy, in marble, of Thorwaldsen's Angel of the Resurrection, while in a niche over the front archway is a copy of the same sculptor's statue of Christ.

The Managers have adopted a plan for a permanent fence of stone and steel to surround the entire property. About 2,400 feet have been completed, and it is intended that the extension shall be continued as rapidly as the funds set aside for that purpose will permit.

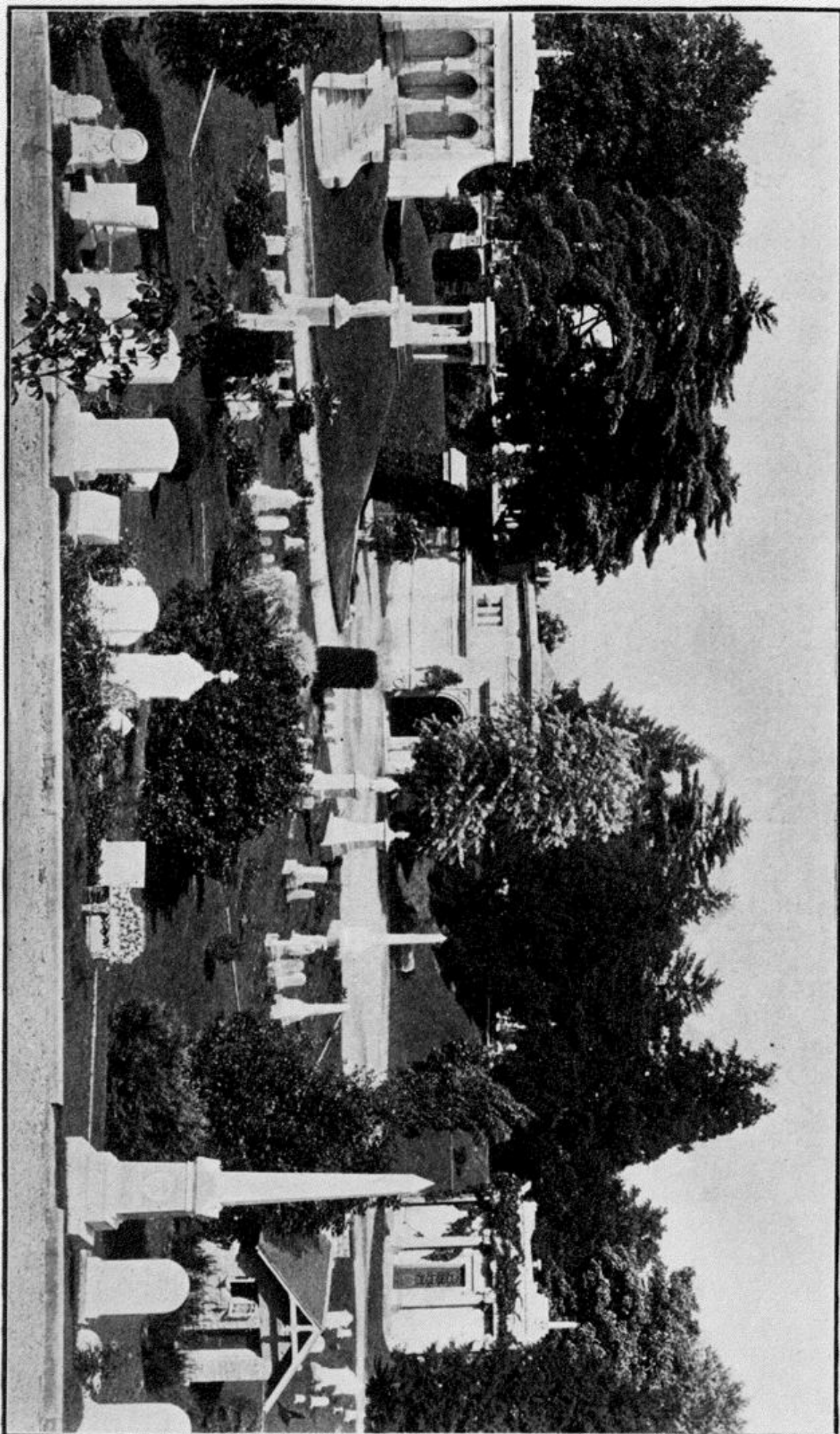
The buildings are of the most substantial kind, and include the Lodge, offices and waiting rooms at the entrance; the Superintendent's office building, in which are parlors and toilet rooms, on the border of a charming lake; the Chapel, with seating capacity for one hundred persons, and which is heated by steam; the Superintendent's residence, situated on a hill in a beautiful grove overlooking the Cemetery, and a handsome and commodious stable building, perfect in all its appointments. All the receipts of the Company, after the payment of current expenses, are appropriated for the improvements and care of the grounds and buildings.

No cemetery in the United States is more fortunate in topographical beauty. A broad avenue, 685 feet in length, and bordered on either side by two rows of Norway maples—beyond which, to right and left, stretch broad and perfectly level lawns of blue grass turf—extends from the entrance to a large basin-like depression, covered with bluegrass and dotted with trees and rare shrubs. Here begins the rolling ground, which gives Cave Hill so much of its characteristic beauty. The formation is blue lime stone, with a thick soil above. Frequent depressions, abundant springs, numerous small hills, some quite abrupt, with small water courses in the valleys, occasionally a level and well wooded plateau, are the prominent features, making a great variety in the landscape. The highest point in the Cemetery is in Section N circle, being 85 feet above the sidewalk at the City Hall, 190 feet above low-water mark, and 520 feet above the sea level.

In addition to the ordinary care of lots furnished by the Company without charge, a "special service" is provided at actual cost to owners of lot certificates, by which the grass and flowers are kept in as perfect condition as possible by experienced landscape gardeners and florists. The perpetuity of the Cemetery is secured by means of a fund created by paying one-tenth of the proceeds of the sale of all lots to the Cave Hill Investment Company, an auxiliary Company chartered by the Legislature in 1882. All the money and property of that Company is to be invested in United States or other bonds, and is held as a sacred trust for the protection and preservation of the grounds of Cave Hill Cemetery. The income arising from the investments is required to be invested and reinvested, and no part of the principal can ever be expended, and the income therefrom can not be used for any purpose, until—by reason of the sale of eight-tenths of the burial lots now laid off and to be laid off—the income of the Cemetery Company shall cease to be sufficient, when the net income shall be utilized for the protection and preservation of the Cemetery. This income for the protection and preservation of the Cemetery will not, however, provide for the "special care" of lots, flowers and grave stones, but the charter of Cave Hill Investment Company provides that the Company may receive donations, gifts, devises and bequests upon such terms as may be consistent with the object of the corporation, and under this provision bequests have been made by

several—and should be by every lot holder—of a fund, the interest on which is to be used forever for the special care of the lots, purchase and planting of flowers, and repairs to grave-stones.

“ Human affection and sympathy decrease in a very rapid ratio as relationship widens, and respect which may act as a substitute in human nature is not so keenly prone to make sacrifices for such a purpose as the preservation of a cemetery lot. The arguments in favor of the *perpetual* care of the cemetery are so conclusive, because so in harmony with the sentiment controlling the higher aspirations of humanity, that to deny them is to degrade that humanity and to place oneself on a lower plane in the scale of human progress. To feel assured that the graves of departed kindred, tied to us by varying degrees of affection, shall be maintained in a high degree of care, and that we ourselves shall finally rest under like conditions, imparts a sense of comfort unattainable in any other direction.”



THE CHAPEL AND VICINITY.

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By-Laws.

ARTICLE I.

THE MANAGERS, TENURE OF OFFICE, ETC.

SECTION ONE. The Board of Managers consists of nine members, who at the time of their election, must be residents of Jefferson County, and a majority of the Managers shall reside in the City of Louisville. Each Manager must be the owner, jointly or severally, of a certificate for a lot or lots containing at least 200 square feet, and any Manager ceasing to be a resident of Jefferson County or the owner, jointly or severally, of a certificate for a lot or lots containing 200 square feet, shall thereby vacate his office.

SECTION TWO. The members are elected to serve for three years in classes already established, one-third of the entire number going out of office on the first day of June of each year, or when their successors qualify. They are subject to re-election.

SECTION THREE. Should any member fail to attend three successive regular meetings of the Board without good reason, on notice to such absenting member, the Board may declare his seat vacant and fill the vacancy.

SECTION FOUR. All vacancies in the Board of Managers shall be filled by the Board for the full term of such vacancy. (See Paragraph 3, Amended Charter, May, 1896.)

SECTION FIVE. No Manager shall receive any salary, contract or other emolument for services rendered by him, provided, however, that the Board may at any time allow such salary to the President for his services as they may deem proper.

ARTICLE II.

ELECTION OF MANAGERS.

SECTION ONE. The annual election shall be held, after due notification in one or more city daily newspapers, at the office of the Company on the last Thursday in May, between such hours as the Board may order, when three Managers for the ensuing term of three years shall be elected.

SECTION TWO. Only those persons to whom a certificate of lot ownership has been issued can vote at such election unless such owner be dead. The owner being dead, the person whom he or she has designated in conformity with the charter may vote when the authority, properly certified, is filed with the Company; and in the absence of a specific devise or directions by the deceased holder of a lot certificate, the power to vote, and the general control of the lot shall pass to the surviving husband or wife, as the case may be. If there be no surviving husband or wife, then the oldest heir-at-law, and in succession, so that it shall always be vested in the oldest heir-at-law; but the person having the present right may renounce the same in favor of the one next in succession, provided such renunciation and proper evidence of his or her right to vote be made in writing, filed with the Secretary of the Company. In case the person having the right to vote is an infant, his or her right may be exercised by the statutory guardian. (Amended Charter, 1896, Section 4.)

SECTION THREE. Persons who own a certificate or certificates for more than one lot may cast one vote for each lot.

SECTION FOUR. No person is a lot owner who does not, either jointly or severally, own a certificate for at least ninety square feet of ground in the Cemetery. (Amended Charter, 1896, Section 5.)

SECTION FIVE. Joint holders of a certificate shall have the right to designate in writing, one or more of their number to cast the vote for their lot, but only one vote shall be cast for each lot, and if joint owners do not agree, each one may vote his or her fractional part thereof.

SECTION SIX. Any person entitled to vote may do so in person, or, if not a resident of Jefferson County, by proxy. Proxies must be in writing, attested by at least one witness, and be filed with the Secretary at least one day before the election at which they are to be voted, and no officer or Manager of the Company shall vote such proxies.

SECTION SEVEN. Nominations for the office of Manager shall be made in writing, by at least one lot holder, and be filed with the Secretary of the Company at least fifteen days before the date of the election. The Secretary shall post said nominations in the office of the Company and at the gate entrance in some conspicuous place for at least ten days before said election. In case a nominee shall die between the day of his nomination and the

day of the election, the person who nominated him may designate another nominee, whose name shall be posted as provided herein, until the election. No vote shall be counted which is cast for any person ineligible for the office of Manager and who has not been nominated in accordance with this by-law.

SECTION EIGHT. The election shall be held under the supervision of two or more owners of lot certificates, selected by the Board of Managers. If the Board should fail to select, or if those selected or either of them fail to attend at the opening hour of the election, then the President, or in his absence the Secretary of the Board, may select qualified supervisors of said election.

SECTION NINE. If for any reason the annual election should be omitted or not properly held, a special election may be ordered by the Board of Managers, which shall, after notice as required by Section 1 and nominations as required by Section 7, be the annual election for the year in which it is held.

ARTICLE III.

MEETINGS.

SECTION ONE. The Board of Managers shall meet on the first Saturday of each month, and three members shall constitute a quorum. The hours for such regular meetings shall be 4 o'clock P. M., from May 1st to November 1st, and 3:30 o'clock P. M. from November 1st to May 1st. The President (or Vice-President) may call a special meeting of the Board at his pleasure, and shall do so whenever requested in writing by two Managers.

SECTION TWO. No order of the Board except to adjourn shall be valid unless it has received the votes of at least three members.

ARTICLE IV.

OFFICERS OF THE BOARD.

The officers of the Board shall consist of a President, Vice-President, and Secretary (who shall also act as Treasurer), all of whom shall be elected by the Board at the first regular meeting after the annual election and shall hold their offices for one year or until their successors are chosen; and in case of failure to elect the officers at the time specified, the election shall take place at the next regular meeting of the Board.

ARTICLE V.**SUPERINTENDENT, SEXTON AND GATEKEEPER.**

At the first regular meeting after the annual election the Board shall elect a Superintendent, Sexton and Gatekeeper for the Cemetery, who shall hold the office during the pleasure of the Board.

ARTICLE VI.**STANDING COMMITTEES.**

There shall be appointed by the Board at the first regular meeting after the election the following Committees to serve during the ensuing year:

1. A Finance Committee, consisting of four members and the President, whose duties shall be to audit the accounts of the Treasurer and Superintendent; to supervise and make frequent examinations of the books of the Secretary and Treasurer and direct him in the keeping of the same. The Committee shall have general care of the financial affairs of the Company and shall submit a written report at least once a year and at such other times as the Board may appoint. Three of the Committee shall be a quorum, but any two may audit the accounts.

2. A Committee on Buildings and Grounds, consisting of five members and the President, whose duty shall be to report for the action of the Board such improvements as may be deemed necessary, with the plans and estimated cost of same.

3. A Committee on Forms and Records, consisting of four members and the President, whose duty shall be to examine and report from time to time for the action of the Board such forms and records as may be deemed necessary.

4. A Committee on Rules, consisting of three members and President, whose duty shall be to consider and report from time to time for the action of the Board any additions or changes in the By-Laws and Rules and Regulations as may be deemed necessary.

ARTICLE VII.**THE PRESIDENT AND VICE-PRESIDENT.**

The President (or Vice-President) shall preside at all meetings of the Board, and shall appoint the time and place for special meetings and shall nominate all special Committees. In case of

the absence of both President and Vice-President the office shall be filled by a temporary chairman, elected by the Board. The President shall execute all deeds, leases and contracts for buildings and other work authorized by the Board of Managers, and all purchases must be approved by him unless previously authorized by the Board or by the chairman of the Committee authorized to make the expenditure. He shall, as the Executive of the Board, have general supervision of the Cemetery grounds and buildings and of all employes.

ARTICLE VIII.

THE SECRETARY (AND TREASURER).

The Secretary (and Treasurer) shall give notice of all regular meetings of the Board of Managers and of Standing Committees.

He shall attend all regular meetings of the Board and special meetings when requested. He shall keep full and complete minutes and records of the proceedings of the Board, and shall have the custody of the records, books, maps, plans, certificates and other papers of the Company, and shall make and keep an accurate record and indices of the same. He shall collect and receive all money due and coming to the Company and shall immediately deposit the same to the credit of the Company in a bank selected by the Board, and all the funds thus deposited shall be withdrawn only on the check of the President (or in his absence from the city and county on the check of the Vice-President) countersigned by the Treasurer. He shall pay all debts, bills, salaries and wages due by the Company when properly approved, shall keep an accurate account of all money received and disbursed and shall render at every regular meeting of the Board a statement of all the receipts and disbursements during the previous month. He shall at the first regular meeting of the Board after the annual election make a report, showing all the receipts and disbursements of the past year, and upon what account they have been received and disbursed, and showing the general financial condition of the Company.

He shall receive and place in a safety vault company in the City of Louisville designated by the Board of Managers the bonds and other securities belonging to the Company, and the access to the said bonds and securities in said vault company shall only be had by him and the President acting jointly.

He shall sign and deliver all certificates, permits, receipts, tickets, notices and other writings of the Company when no one else has been designated to do so, and he shall have general control and supervision of his office and office employes. He shall at least once every working day, and oftener if necessary, report to the Superintendent any message or business which comes under the control and action of the Superintendent. His office hours shall be from 8 o'clock A. M. to 5 P. M. He shall perform such other duties as may be prescribed by the President and Managers and he shall give bond to the Company, to be approved by the Board, in the sum of \$5,000 for the faithful performance of his duties.

ARTICLE IX.

THE SUPERINTENDENT.

SECTION ONE. The Superintendent shall reside in or near the Cemetery.

SECTION TWO. He shall have the general direction and control under the Board of Managers of the improvement and grounds of the Cemetery.

SECTION THREE. He shall lay out lots in the Cemetery and shall preserve a record thereof so that the same may be known and easily found should the boundaries become changed or obliterated.

SECTION FOUR. He shall see that the regulations of the Board of Managers, respecting interments, disinterments, construction of tombs and monuments, and the improvement of lots be properly observed.

SECTION FIVE. He shall have charge and keep an account of the property, tools and implements of the Company which may be on the premises and shall render to the Board of Managers at their first regular meeting after the annual election, or oftener if requested, an inventory and appraised value of the same.

SECTION SIX. He shall furnish when requested estimates of the probable expenditures of the coming week or month, or of any proposed work or improvement, and shall on a fixed day of each week certify and deliver to the Treasurer a pay roll in which he shall state the number of workmen employed, their names, the time they have worked, the rate of wages and the amount due each of them. The pay roll thus certified shall be the guide to the Treasurer in paying said wages.

The Superintendent shall preserve a duplicate copy of said pay roll, which shall always be subject to the inspection of the President and any Manager of the Company.

SECTION SEVEN. He shall keep a record which shall contain an account of all the interments in the Cemetery and of all the bodies deposited in the Receiving Tomb in the form designated by the Board, and on a fixed day of each week he shall deliver to the Secretary a full list of same.

SECTION EIGHT. No grave shall be prepared until a permit, issued by the Secretary, is delivered to the Superintendent or his assistant, and no interment shall be made and no body shall be deposited in any vault or tomb unless the proper permits issued by the Secretary and by the Health Officer of the city (as required by city ordinance) have been delivered at the Superintendent's office.

SECTION NINE. The Superintendent shall not be responsible for the preparation of any grave unless he shall have received, at least six (6) working hours before the time fixed for the funeral, the permit issued by the Secretary, as required under Section 8, accompanied by an order (on the blanks furnished by the Company) signed by the lot holder or his authorized representative, authorizing the opening of the grave on the lot, and directions as to the particular spot where the grave is to be opened.

SECTION TEN. It shall be the duty of the Superintendent to take charge of the keys of the Receiving Tomb under such directions as to the use of said Tomb as shall be made by the Managers.

SECTION ELEVEN. As Agent for the Managers he shall have sole power, subject to the supervision of the President, to employ, suspend or discharge all workmen, and to order and arrange their respective duties as the Board of Managers may direct. He shall have the general control and direction of all persons employed in the grounds, including the Sexton and Policemen, and he shall see that all rules and regulations adopted for the government and police of the Cemetery are properly enforced.

SECTION TWELVE. He shall have power to remove from the Cemetery any improper and disorderly person, and to abate nuisances, remove stray animals, rubbish and unnecessary encumbrances.

SECTION THIRTEEN. Inasmuch as it is desired that lot holders shall have every reasonable facility afforded them in the care of their lots, it is enjoined on the Superintendent, in his intercourse with them, to consult their wishes in this respect so far as the rules and regulations of the Company will permit.

SECTION FOURTEEN. He shall at least once every working day, and oftener if necessary, report to the Secretary any message or business which comes under the control and action of the Secretary.

SECTION FIFTEEN. A fire-proof vault is provided by the Company, in which the records belonging to the Superintendent's office and the keys of the Receiving Tomb must be placed for safe-keeping.

ARTICLE X.

THE SEXTON.

It shall be the duty of the Sexton to superintend the digging of graves and the interments therein. He shall be present and supervise all funerals, and he shall report to the Secretary the location on the lot of each grave, and the name of the person whose burial he has superintended. He shall be under the general direction of the Superintendent, and perform such other duties as may be required of him.

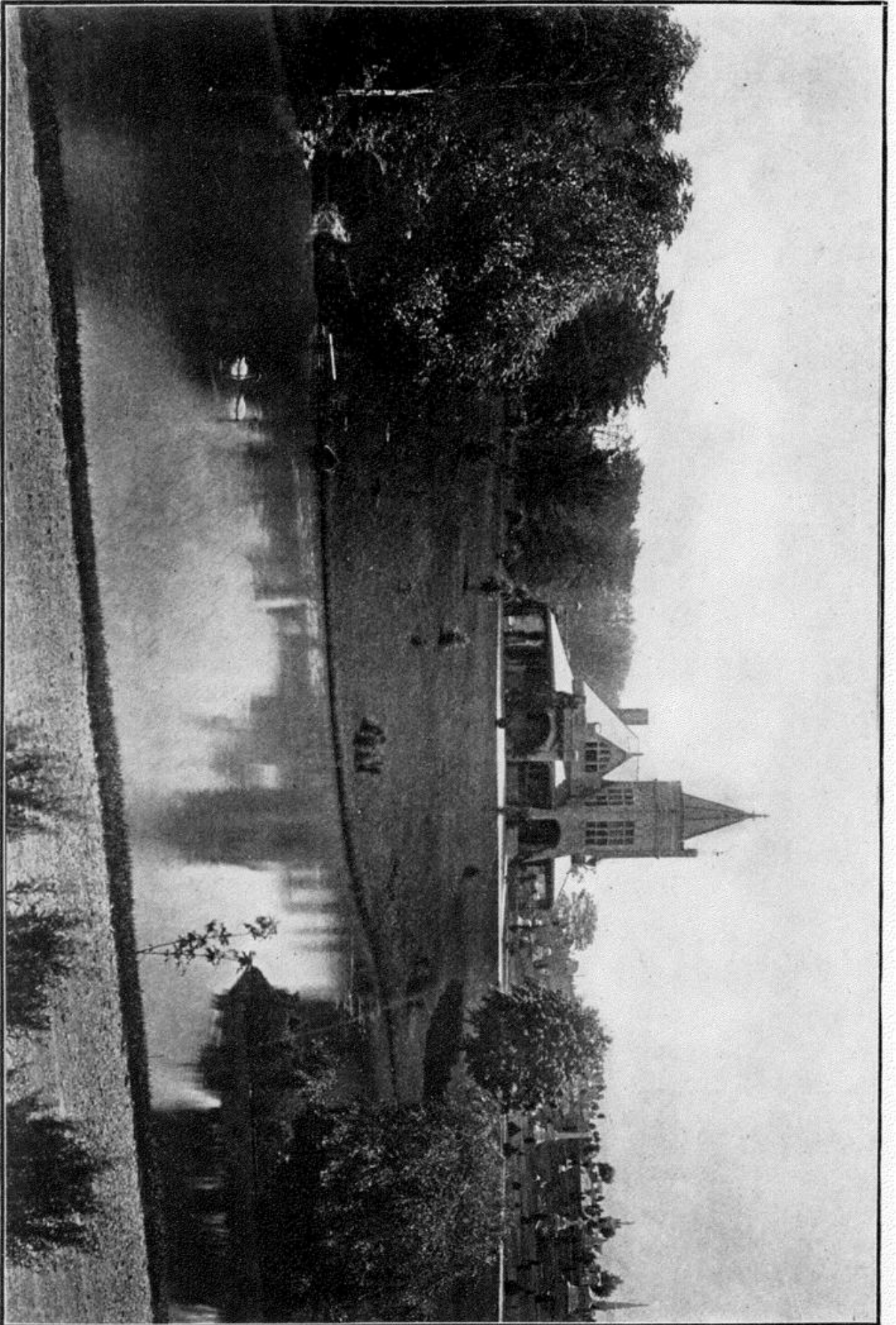
ARTICLE XI.

THE GATEKEEPER.

SECTION ONE. The gatekeeper shall open the gates every day at sunrise. A bell shall be rung every day thirty minutes before sunset as a warning to visitors to leave the Cemetery, and at sunset the gates shall be closed.

SECTION TWO. He shall enforce the rules respecting admittance. Shall have power to remove any improper or disorderly person, and shall report promptly the violation of any rule or regulation of the Company.

SECTION THREE. He shall keep in order the waiting rooms at the entrance, and he shall be under the general direction of the President, or, in his absence, the Secretary.



SUPERINTENDENT'S OFFICE.

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ARTICLE XII.

No person in the employment of the Company shall be permitted to receive any perquisite for any matter connected with the Cemetery or his duties therein.

ARTICLE XIII.

The Board of Managers reserve the right to lay out and alter Avenues and Walks, to erect and remove buildings, to plant and remove trees, shrubs and flowers, and to make such other rules and regulations for the arrangement and government of the grounds as they may deem proper to secure and promote the general welfare and beauty of the Cemetery.

ARTICLE XIV.

The By-Laws, Rules and Regulations of the Company may be enlarged, altered, amended or repealed at any regular meeting of the Board, provided that a majority of the entire Board concur.

Rules and Regulations.

RESPECTING LOTS AND GRAVE SPACE.

1. This Cemetery is set apart for the burial of the white race, and shall be used for cemetery purposes only.

2. Persons desiring to purchase burial space must apply to the Superintendent at the Cemetery, and the price of the space selected must be paid, without delay, to the Secretary, who will then issue a certificate to the purchaser, subject to all the rules and regulations of the Company, but no certificate will be issued to two or more persons jointly.

3. When, in the opinion of the Superintendent, a lot containing 360 square feet or more can be subdivided, a separate certificate for each subdivision containing not less than 180 square feet may be issued, provided that this shall not apply to lots which the managers have directed to be sold as a whole.

4. Where persons by purchase heretofore made are jointly interested in a lot, and the separate interest of each is not noted of record on the books of the Company, such respective interests will be treated as equal, as to grave space, and each party, or those claiming under such party, may exercise the right of burial to the extent of a single interest, but no further without the written consent of the other party or parties in interest. Each burial will be treated as a severance of the joint interest in the ground taken up by the grave, and to that extent an exclusive appropriation of the joint interest.

5. Purchasers of burial space acquire—subject to the rules and regulations of the Company—the right of burial and repose of their dead therein, but no transfer or assignment of any interest or right in said space shall be made without the consent, previously obtained, of a majority of all the Managers of this Company present at a meeting of the Board.

6. The owner of the right of burial in any lot in the Cemetery which has been used for interment, and the bodies afterwards

removed may, two years after the date of such removal, sell and transfer said right, if then approved by the Company, as though the same had not been used.

7. Should the owner of the right of burial in any lot buy such right in a more valuable lot in the Cemetery, the bodies may be removed thereto from the old lot in accordance with the regulations and the right in the old lot may be taken by the Company in part exchange, or may be thereafter transferred to any person if approved by the Company at the time application is made.

8. No right of burial in any part of a lot shall be sold unless the part sold and the part retained shall contain at least 180 square feet, and then only when approved by the Company, as provided for in Rule 5.

9. The owner of a right of burial in a lot of the description and dimensions required by the Company may resell the same to the Company, and upon the written recommendation of the Superintendent the President may authorize the Treasurer to pay the original price received for the right in said lot (or a pro rata proportion of such price for less than the entire lot) without interest, upon receipt of transfer by all the parties in interest, and all such transfers shall be reported by the Secretary to the Managers at their next regular meeting.

10. No enclosure of any description around any lot, and no lettered boards designating graves will be permitted.

11. The grade of all lots will be determined by the Company, and persons who make improvements upon their lots after they are graded and prepared by the Company will be charged the cost of putting them again in order; and all earth or rubbish accumulated on lots by lot holders or their employes must be carefully removed without delay and deposited where the Superintendent may direct.

12. The Managers have no wish to interfere with the taste of individuals in regard to the style of improvements but in justice to the interests of all they reserve to themselves the right of preventing or removing any erection or enclosure which they shall consider injurious to the immediate locality, prejudicial to the general good appearance of the grounds, or which shall in the judgment of the Superintendent prevent the easy and proper care of the graves or lots, and also of removing or pruning any tree or shrub which may obstruct or mar the effect and beauty of

the scenery or may otherwise prove injurious, unsightly or detrimental.

13. Flower beds and planted flowers immediately alongside or at the ends of graves injure the grass and mar the general appearance of the lots, and the Managers earnestly recommend that such planting be discontinued.

14. Nothing in the rules shall be construed to prevent servants of the owners of lot certificates from attending to and caring for his or her lot by his or her direction in the same manner and extent as the owner of the certificate could personally do; nor to prevent florists, gardeners and others not in the employ of the Company from planting flowers, shrubs or other like ornamentation of lots by and under the direction of the owner of the lot certificate if approved by the Superintendent; but no shrubs, trees or flowers within a lot or border shall be cut down or removed without the written consent or authority of the Superintendent.

15. Boxes, shells, toys, rusty, unpainted or broken benches, seats and vases, and similar articles in lots and lawns are inconsistent with the proper keeping of the grounds and will be removed. No iron or wire work and no seats or vases of any description will be allowed upon graves or lots, without the permission of the Superintendent.

16. The Managers have power to refuse to sell burial rights in this Cemetery to persons of notorious bad character, and such persons shall not be interred in these grounds. In case a sale is made to any such character whose condition may not have been known at the time said sale may be canceled by the Managers.

17. The grass will be cut on all lots and graves and will have ordinary care without any expense to the lot holder.

18. Graves will be sodded in the first instance without charge, but for every subsequent sodding a charge will be made of \$2.00 for each adult grave and \$1.00 for each child's grave except in lots having "Special Care" which includes all necessary sodding.

19. Mounds on graves will be made (where desired at all) not exceeding four inches in height, except in those sections where they are prohibited altogether, but it is earnestly recommended that the graves be left entirely level and planted with small leaf English ivy. When authorized by the owner of any grave in a lot having "Special Service" the ivy will be planted and cared for without additional charge.

SPECIAL CARE OF LOTS.

20. The Company is prepared to render special service on lots in any part of the Cemetery, which will include planting, watering and care of flowers; fertilizing, seeding and weeding, filling and resodding the graves and any other necessary work of like character when authorized and paid for by the lot holder, according to a schedule of prices which will secure the best possible care by experienced florists and gardeners at the least possible cost.

The special service will begin January 1st of each year (and continue during the current year unless discontinued as herein provided) and written orders should be filed with the Superintendent on or before that date. Notices stating the amount due the Company for such service will be sent out on or before the first of March, *and if not paid in full before April 15th the service will then be discontinued without further notice.*

PERPETUAL CARE OF LOTS.

21. Cave Hill Investment Company (chartered by the General Assembly of Kentucky) organized for the express purpose of receiving funds, the income to be used for protecting, preserving and ornamenting the grounds of Cave Hill Cemetery, is authorized to receive donations, gifts, devises and bequests which will be invested by the Company in United States Government or other bonds, and the income will be used for the perpetual care of lots, monuments, grave stones, purchase, planting and tending of flowers, etc., as the donor may direct.

The following schedule shows the respective sums necessary to produce at the present rate of interest an income for the perpetual care of lots and graves thereon. (For repairs to monuments and purchase of flowers, when desired, an additional sum must be provided.)

SCHEDULE.

| | |
|------------------------------------|-----------|
| For lots of 100 square feet..... | \$ 280 00 |
| For lots of 150 square feet..... | 315 00 |
| For lots of 200 square feet..... | 350 00 |
| For lots of 250 square feet..... | 385 00 |
| For lots of 300 square feet..... | 420 00 |
| For lots of 400 square feet..... | 490 00 |
| For lots of 500 square feet..... | 525 00 |
| For lots of 600 square feet..... | 595 00 |
| For lots of 700 square feet..... | 665 00 |
| For lots of 800 square feet..... | 700 00 |
| For lots of 900 square feet..... | 770 00 |
| For lots of 1,000 square feet..... | 805 00 |
| For lots of 1,100 square feet..... | 875 00 |
| For lots of 1,200 square feet..... | 945 00 |
| For lots of 1,300 square feet..... | 980 00 |
| For lots of 1,400 square feet..... | 1,015 00 |
| For lots of 1,500 square feet..... | 1,085 00 |
| For lots of 2,000 square feet..... | 1,365 00 |
| For lots of 2,500 square feet..... | 1,645 00 |

TARIFF OF PRICES FOR LOTS.

| | PER SQ. FT. |
|---|----------------|
| 22. For lots fronting on grass walks (alleys) | \$0 80 |
| For lots fronting on drive ways (avenues) | 90 |
| For extra choice lots in prominent positions . | \$1 00 to 1 50 |

An additional charge is made for curbing and margin posts. (The foregoing tariff of prices is subject to change by the Company at any time.)

23. Certain portions of the Cemetery have been set apart for "single graves." In these sections there can be no choice of location, as the spaces are filled in regular order. All graves in such sections will be distinctly marked at the foot with a suitable marker furnished by the Company without charge.

Tariff of prices for single graves, including interment and sodding to be paid in advance at the office of the Secretary.

| | FIRST CLASS. | SECOND CLASS. |
|---|--------------|---------------|
| Each grave over five feet in length | \$15 00 | \$13 00 |
| Each grave from four to five feet in length . | 10 00 | 8 00 |
| Each grave under four feet in length . . . | 8 00 | 7 00 |

(The foregoing tariff of prices is subject to change by the Company at any time.)

RULES FOR MONUMENTS AND GRAVE-STONES AS AMENDED

DECEMBER 7, 1901.

(To take the place of Rules 24 to 47 on pages 63, 64 and 65.)

24. Foundations for all monuments and grave-stones shall be built by the Company, the price therefor to be paid to the Secretary before a permit is issued.

TARIFF OF PRICES FOR FOUNDATIONS.

Foundations less than 20 cubic feet . . . \$5 00 each.
Foundations 20 cubic feet and over . . . 25c. per cubic foot.

(The foregoing tariff of prices is subject to change by the Company at any time.)

25. Every foundation must be as deep as the bottom of the grave, never less than six feet in depth, and must be as wide and as long as the base stone to be placed upon it, and must not project above the level of the sod.

26. Application for permission to erect or remove monuments and grave-stones must be made to the Superintendent by the owner of the lot or grave certificate, and when approved by him and the agreement prescribed by the Company is duly executed a permit shall be issued by the Secretary.

27. All superstructures (monuments, tablets, headstones and markers) must be erected or removed under the supervision of the Superintendent and to his satisfaction, but the work cannot be begun and no material shall be delivered at the Cemetery until notice is given that the foundation is completed and until the contractor is ready to proceed at once with the erection.

28. Vaults or tombs, wholly or partly above ground, will not be allowed without special permission of the Company, and application for permission to build such structures must be accompanied by plans and specifications, which must provide for niches allowing interments to be separately made and hermetically sealed.

29. Any stone more than three feet in height is classed as a monument:

30. The supervision of the Superintendent of this Company, as required, is for the protection of the Cemetery and to enforce its rules. But the Company will not be responsible to any one for any defect in the material or construction of foundations after their acceptance, and shall not be liable for any defects of any kind in the superstructures, or for any negligence on the part of contractors or their employes.

31. All workmen and builders are subject to the control and direction of the Superintendent while on the grounds, and must enter and leave the Cemetery within the working hours of this

Company's employes. Any workman failing to conform to this regulation will not thereafter be permitted to work in the Cemetery.

32. No monument or head-stone, and no part of any vault or tomb shall be constructed of other materials than granite, marble, cut stone or real bronze. No artificial material will be permitted.

33. Not more than one monument shall be placed on a lot containing 180 square feet or less, and not more than one monument for each area of 180 square feet shall be placed on any lot.

34. Monuments must be placed in the center of each lot, unless otherwise specially permitted by the Superintendent.

35. No monument can be erected unless it faces on the avenue or alley on which the lot fronts.

36. The exposed portions of all sub-bases must be of the same material and finish as the superstructures, and the bases must be squared so as to set level upon the foundation. No wedging will be permitted.

37. No slabs will be allowed unless placed in a horizontal position.

38. All head-stones must be at least six inches in thickness.

39. Double head-stones, embracing two or more graves, will not be permitted.

40. No grave-stone or marker can be set in a socket or with a dowel.

41. Foot-stones are a detriment to the proper care of lots, and will not hereafter be permitted.

42. In the single grave sections, Ranges 1 to 163, inclusive, markers for adult graves must not be more than three feet high, including base, nor more than two feet wide; for children's graves, markers must not be more than eighteen inches high, including base, nor more than fifteen inches wide.

43. In Sections 1, 2, 3, 6 (from Lot No. 19 to No. 78), 7, Q and S, and in all sections hereafter laid out, no head-stone or marker more than ten inches high can be erected.

44. The Cemetery Company reserves the privilege to stop all construction and erection of monuments and grave-stones, between November 1st and April 1st.

45. No heavy teaming will be permitted in the Cemetery in wet weather. No stone work shall be brought in on Saturday after 12 o'clock noon and no work shall be begun on that day that cannot be finished and the dirt and debris entirely removed before the hour for closing the gates.

46. Materials will not be allowed to remain in the Cemetery longer than is strictly necessary for the completion of the work. All refuse or unused material must be removed at once when the work is completed.

47. No signs of an advertising nature will be permitted on any monument, tomb or grave-stone, or elsewhere within the grounds.

The Secretary will issue a receipt in the name of the member of the family or friend of the deceased, for whom the application for the purchase of the grave is made, which will give him or her control of the grave, subject only to the rules and regulations of the Company, and entitles him or her to a ticket of admission to the Cemetery.

Certificates of ownership for one reserved single grave can be obtained from the Secretary, the price (which includes the cost of interment) to be paid in advance.

MONUMENTS AND GRAVE-STONES.

24. Application for permission to erect or remove monuments and grave-stones must be made to the Secretary by the owner of the lot or grave certificate, and in no instance shall any work be allowed until a permit, issued by the Secretary, is delivered to the Superintendent.

25. All monuments, tablets, head-stones and markers must be put up or removed under the supervision of the Superintendent, and to his satisfaction.

26. Any stone more than three feet in height is classed as a monument.

27. Vaults or tombs, wholly or partly above ground, will not be allowed without a special permission of the Company, and application for permission to build such structures must be accompanied by plans and specifications, which must provide for niches allowing interments to be separately made and hermetically sealed.

28. No monument or head-stone, and no part of any vault or tomb shall be constructed of other materials than granite, marble, cut stone, or real bronze. No artificial material will be permitted.

29. Not more than one monument shall be placed on a lot containing 180 square feet or less, and not more than one monument for each area of 180 square feet shall be placed on any lot.

30. Monuments must be placed in the center of each lot, unless otherwise specially permitted by the Superintendent.

31. No monument can be erected unless it faces on the avenue or alley on which the lot fronts.

32. Foundations for monuments, tombs and grave-stones must be built of solid masonry, to the satisfaction of the Superintendent.

33. Every foundation must be as deep as the bottom of the grave, never less than six feet in depth, and must be as wide and as long as the base-stone resting upon it, and must not project above the level of the sod. The exposed portions of all sub-bases must be of the same material as the superstructure.

34. No monumental work shall be delivered at the Cemetery until the foundation is completed and the contractor is ready to proceed at once with the erection.

35. No slabs will be allowed unless placed in a horizontal position.

36. All head-stones must be at least six inches in thickness.

37. Double head-stones, embracing two or more graves, will not be permitted.

38. No grave-stone or marker can be set in a socket or with a dowel.

39. Foot-stones are a detriment to the proper care of lots, and will not hereafter be permitted.

40. In the single grave sections, Ranges 1 to 163, inclusive, markers for adult graves must not be more than three feet high, including base, nor more than two feet wide; for children's graves, markers must not be more than eighteen inches high, including base, nor more than fifteen inches wide.

41. In Sections 1, 2, 3, 6 (from lot No. 19 to No. 78), 7, Q and S, and in all sections hereafter laid out, no head-stone or marker more than ten inches high can be erected.

42. The Cemetery Company reserves the privilege to stop all construction and erection of monuments and grave-stones, between November 1st and April 1st.

43. No heavy teaming will be permitted in the Cemetery in wet weather. No stone-work shall be brought in on Saturday after 12 o'clock noon, and no work shall be begun on that day that can not be finished, and the dirt and debris entirely removed before the hour for closing the gates.

44. Materials will not be allowed to remain in the Cemetery longer than is strictly necessary for the completion of the work. All refuse or unused material must be removed at once when the work is completed.

45. No signs of an advertising nature will be permitted on any monument, tomb or grave-stone, or elsewhere within the grounds.

46. All workmen and builders are subject to the control and direction of the Superintendent while on the grounds, and must enter and leave the Cemetery within the working hours of this Company's employes. Any workman failing to conform to this regulation will not thereafter be permitted to work in the Cemetery.

47. The supervision of the Superintendent of this Company, as required, is for the benefit and protection of the Cemetery and to enforce compliance with its rules. This Company will not be responsible to any one for any defect in the materials or construction of foundations and superstructures, or for any negligence or default on the part of contractors or their employes.

RECEIVING TOMB AND PRIVATE VAULTS.

48. A Receiving Tomb is provided for the accommodation of those who intend to purchase grave space in the Cemetery, or who, for any good reason, wish to delay the burial of relations or friends.

49. All bodies placed in this Tomb, and also in private vaults, must be in strong, hermetically sealed cases, and no removals will be made therefrom on Sundays or holidays, without a special order from the Superintendent.

50. The remains of deceased persons permitted by the owner of any private vault to rest temporarily therein, shall, in all cases, be placed within a cell and properly sealed, unless assurance shall be given beforehand to the Secretary, and also to the Superintendent, that such remains shall be removed from said vault within seven days.

51. Whenever a body is to be deposited in the Receiving Tomb, or in a private vault, a permit must first be obtained from the Secretary, accompanied with the proper permit, issued by the Health Office of the city and the following charges paid :

| | |
|--|---------|
| For each adult in Receiving Tomb | \$16 00 |
| If removed within two months \$10.00 will be returned. | |
| For each child under twelve years of age in Receiving Tomb | \$11 00 |
| If removed within two months \$5.00 will be returned. | |
| For opening private vaults under ground and closing and sodding | \$6 00 |
| For opening private tombs or above ground vaults . . . | 3 00 |

(The foregoing charges are subject to change by the Company at any time.)

52. If a body shall not be removed from the Receiving Tomb before the expiration of two months, the Company may thereafter inter the remains in a single grave without further cost, but in special cases the time may be extended, upon application to the Secretary, and upon payment of \$2.00 for each month (or fraction of a month) of the extended time.

53. Where the removals are for interment in the Cemetery, the usual permit must be obtained from the Secretary and the usual charge paid for opening, closing and sodding the grave.

54. The remains of any person who died from a contagious disease, such as small-pox, varioloid, diphtheria, diphtheritic croup, relapsing fever, scarlet fever, yellow fever, typhus fever, typhoid fever, cholera, cerebro-spinal meningitis, or measles, will not be admitted to the Receiving Tomb, or any private vault, provided, however, that the body of a person who died of any of the above named diseases may be permanently entombed in a private vault, when said body is thoroughly embalmed and hermetically sealed in said vault.

55. When interments from the Receiving Tomb are made in the Cemetery, the remains will be carried to the grave in the Cemetery hearse, if desired by the family of the deceased, without charge.

56. A shelter tent, of which the Company has a limited number, may be secured for use at funerals, upon application to the Secretary and the payment of \$5.00 at least two hours before the time designated for the interment.

CHAPEL.

57. The chapel is conveniently located, and upon application to the Superintendent may be used for funeral services without charge.

58. In cold weather, at least six hours' notice should be given to the Superintendent, in order that the chapel may be properly heated.

59. When on account of the inclemency of the weather it is desirable to postpone an interment, the services may be held in the chapel, and the remains may be placed in the Receiving Tomb, without any charge, provided the interment is made within three days thereafter.

INTERMENTS AND DISINTERMENTS.

60. Written application for interment must be made to the Secretary, and must show the name of the person to be interred, place of nativity, his or her residence, age, sex, occupation, also whether married or unmarried, date and cause of death.

61. All interments and disinterments will be subject to the following charges, which in all cases must be paid at the Secretary's office before a permit can be issued :

CHARGES FOR INTERMENT AND DISINTERMENT IN PRIVATE LOTS.

| | |
|---|--------|
| Opening, closing and sodding each grave over five feet in length | \$6 00 |
| Opening, closing and sodding each grave, four to five feet in length | 4 00 |
| Opening, closing and sodding each grave under four feet in length | 3 00 |

(The foregoing charges are subject to change by the Company at any time.)

Permits for the burial of children from any of the orphan asylums, or other purely charitable institutions holding a certificate for a lot in the Cemetery, will be issued by the Secretary without charge.

(For tariff of charges for single graves, see Rule 23.)

62. When single graves are vacated by disinterment for reintering the body in a lot or another grave, the price originally paid for the grave, less the charge for the original interment, will be allowed. The usual charge for disinterring and reintering will be made in such cases.

63. In cases of disinterment from single graves for removal of the remains from the Cemetery, no allowance will be made or the grave vacated, but a relinquishment to the Cemetery Company of ownership in said grave shall be required before an order will be issued for the disinterment, but no charge shall be made for the disinterment.

64. No grave will be prepared or opened until the Secretary's permit, as provided for in Rules 60 and 61, is delivered to the Superintendent or his assistant. **THIS RULE IS IMPERATIVE.**

65. The proper burial certificate required in all cases by the municipal authorities must be delivered to the Superintendent,

or the sexton in charge, before any interment is made or any body deposited in any vault or tomb.

66. The Company will not be responsible for the proper preparation of a grave, unless the permit issued by the Secretary, as required in Rules 60 and 61, and an order on the blanks furnished by the Company, signed by the owner of the lot certificate, or his authorized representative, authorizing the opening of the grave on the lot, are delivered at the Superintendent's office, at least six working hours before the time fixed for the funeral. Directions as to the particular spot in the lot where the grave is to be opened must be furnished by the owner of the certificate in person, or by an authorized representative.

67. Orders and permits for graves, when the interment is to be made on Sunday, must be delivered to the Superintendent, or his assistant, not later than 4 o'clock P. M. of the preceding Saturday, in order to secure proper preparation. Exceptions to this rule will be made only in cases of death from contagious diseases, or other reasons satisfactory to the Superintendent.

68. The Board of Managers earnestly request, for obvious reasons, that funerals on Sundays be avoided, except in cases of urgent necessity.

69. The usual depth of a grave is six feet; when a greater depth is required, or when the grave is to be wider than usual, an additional charge will be made.

70. Not more than one body shall be interred in a grave of the usual depth, except a parent and infant child, or two children buried at the same time.

71. No disinterment will be permitted without the consent of the Company. During the months of May, June, July, August and September, no body will be disinterred within five years after decease; but from the first day of October to the first day of May, disinterments may be made at any time after death, excepting in cases where the death was caused by a contagious disease, such as small-pox, varioloid, diphtheria, diphtheritic croup, scarlet fever, yellow fever, typhus fever, typhoid fever, or cholera. In such cases the remains can be disinterred only during the months of November, December, January, February and March.

72. Owners of lot certificates shall not allow interments to be made for any remuneration whatever. The control of all lots, and graves, and tombstones therein is vested solely in the owners

of lot certificates, subject to the rules and regulations of the Company, and no rights claimed by other persons will be recognized.

73. The Superintendent will provide suitable persons as attendants at every interment, and he or the Sexton will be present at every interment, and superintend the opening, closing and sodding of the grave.

74. All funerals will be under the supervision of the Superintendent and his assistants. Drivers of carriages must follow their directions as to position on the roadways, and must remain on their carriage or stand by their horses during the services at the grave.

75. The Cemetery Company will not be responsible for any mistake or error in the transmission of messages by telephone, the telephone service being solely for the benefit and accommodation of lot holders and others having business with the office.

BURIAL RIGHTS.

76. Owners of lot certificates shall not sell the privilege of burial, but they may, by last will and testament, or by writing, directed to said Company, signed by such owners, and attested, by two witnesses, determine who shall control the right of burial after their death, and such directions may be placed in or on the certificate of ownership of the lot.

77. A mere residuary devise shall not be construed as including any interest in or control over any lot in the Cemetery.

78. In the absence of a specific devise or directions as hereinbefore provided for, the right of burial in any of the lots in the Cemetery shall go and descend to the lineal descendants of the original owner thereof, and the husbands and wives of said descendants in the order of their deaths, should application for such burial be made to the Company. Provided, however, that the surviving husband or wife of such owner shall have the right to reserve a grave at such place in said lot as he or she may designate to the Company, and this right shall be superior to the right of any other person. The Company may prescribe the time within which such designation must be made to secure this right.

79. Any of said descendants may release the right of burial for himself (or herself) and descendants, and their wives and

husbands, by writing filed in the office of the Company, and attested by the President or Secretary thereof.

80. In case there shall be no lineal descendants of the original owner, his (or her) heirs-at-law, in the order of their deaths, and application therefor, shall have the right of burial in the lot.

81. The determination and decision as to any and all such rights of burial, and the order thereof, by the Board of Managers, or by the President and Secretary thereof, shall be final and conclusive. (See Charter.)

GENERAL RULES RESPECTING VISITORS, ETC.

82. The gates are opened every day at sunrise, and are closed at sunset. Thirty minutes before sunset a bell is rung as a warning to visitors to leave the Cemetery.

TICKETS OF ADMISSION.

83. Tickets of admission of the following classes, under the regulations as stated herein, will be issued by the Secretary (on application at the office of the Company) which tickets will admit the holder, either on foot, horseback, or with a vehicle.

(a) Permanent tickets to owners of certificates for lots or single graves, which tickets will admit them and the members of their families or friends accompanying them, during the week, including Sunday.

(b) Special tickets, by direction of an owner of a lot certificate, for use of persons who may have grave or graves on the lot.

(c) Special tickets for descendants of a deceased owner of a lot certificate.

(d) Special tickets to persons having graves in a lot held by churches or charitable institutions, when authorized by the proper representative of said lot holders.

(e) Special tickets to transient visitors which will admit them any day during the week, including Sunday. Tickets of this class may be issued by any Manager of the Company, and will be taken up by the gatekeeper.

(f) Special tickets, on application of the owners of lot certificates for admission of servants (white or colored), to attend to their lots.

84. Children will not be admitted, unless with their parents, or with persons having them specially in charge.

85. Colored persons, when admitted, must be accompanied by an owner of a lot certificate, or some member of the family, or may be admitted by the written permit of a Manager or the Secretary, which must be left with the gatekeeper and returned by him to the Secretary.

86. Visitors are reminded that the grounds are sacredly devoted to the interment and repose of the dead, and that a strict observance of the decorum due to such a place will be required of all. The provisions of the following ordinance, adopted by the General Council of the City of Louisville, and approved by the Mayor, December 29th, 1899, for the protection of Cave Hill Cemetery, will be strictly enforced:

AN ORDINANCE FOR THE PROTECTION OF CAVE HILL
CEMETERY.

Be it ordained by the General Council of the City of Louisville:

SECTION 1. Any person who shall mutilate, deface, or otherwise injure any tombstone, monument, vault, vase, enclosure, furniture, ornament, building, or structure of any description, tree, shrub, flower (wild or cultivated), or who, without permission obtained from Cave Hill Cemetery Company, shall erect, build, plant, cut or remove any tombstone, monument, vault, vase, enclosure, furniture, ornament, tree, plant, shrub, building, or other structure, or interfere with any grave in said Cemetery, shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

SEC. 2. No person, except those to whom certificates granting right of burial have been issued and their accompanying friends, shall enter Cave Hill Cemetery at any time without permission, and persons are prohibited from entering or leaving said Cemetery grounds, except through the gate provided by the Cave Hill Cemetery Company for that purpose.

SEC. 3. No person shall climb any tree (without permission of Cave Hill Cemetery Company), lie down or sit upon any grave or walk, nor participate in any loud or angry discussion, nor use any profane language within said Cemetery.

Any person who shall disturb the quiet or good order of said Cemetery by noise or improper conduct, may be compelled instantly to leave the premises.

SEC. 4. It shall be unlawful to drive or ride faster than a walk, or to leave any horse unfastened or unhitched in said Cemetery. No refreshments nor liquors of any kind are allowed in said Cemetery. All hunting, fishing, or disturbance of fish or birds, and the discharge of any firearms, fireworks, or missiles (without special permission of Cave Hill Cemetery Company) by the use of gunpowder, or other explosives, within, into, or over any portion of said Cemetery, is hereby prohibited.

SEC. 5. Any person who shall violate any provision in Sections 2, 3, or 4. of this ordinance, shall be fined not less than five dollars nor more than fifty dollars ; and all fines imposed by this ordinance shall be recovered as other fines in the Police Court of the City of Louisville.

SEC. 6. The Superintendent, gatekeeper, and all persons appointed and qualified as private policemen of the City of Louisville, upon the application of the Cave Hill Cemetery Company, shall have full authority to enforce this ordinance, and to arrest any person or persons violating any provisions thereof.

SEC. 7. All ordinances in conflict with this ordinance are hereby repealed.

SEC. 8. This ordinance shall take effect from its passage.

S. F. HARLAN, *C. B. C.*, THEO. STERN, *P. B. C.*,
 ALF. W. DAVIS, *C. B. A.*, C. T. BALLARD, *P. B. A.*

Approved December 29th, 1899.

CHAS. P. WEAVER, *Mayor.*

87. Schools and other large assemblages of persons will not be admitted (except when attending funerals) without an order from the President or Secretary.

88. No omnibus, automobile, bicycle, or tricycle, will be allowed to enter the Cemetery.

89. No persons with firearms or dogs will be admitted.

90. No money shall be paid to the gatekeeper, or to any other person in the employ of the Company, in reward for any personal service or attention.

91. Employes, and other persons, are prohibited from soliciting work from lot holders and visitors within the grounds.