

## CHAPTER 79

## THE CEMETERY ACT

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Section

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 CEMETERY

(15th December, 1865.)

244/1865.

WHEREAS it is expedient to establish a public cemetery <sup>Preamble.</sup> for the city and parish of Saint John, and whereas a portion of a piece of land in the said city, being part of Gamble's Estate now or lately belonging to or in the possession of John Tollemache, Esquire, is suitable for the purposes of such cemetery, and whereas the said John Tollemache hath declared his willingness to sell and dispose of the said piece of land for the purpose aforesaid, and whereas it is expedient that there should be selected so much of the same piece or parcel of land as may be required for the purposes of the public cemetery and that the same should be duly and properly valued, and appraised, and that so much of such piece of land as may be selected and valued should on payment of the price and sum at which the same may be valued, stand and be absolutely vested in Her Majesty, Her heirs and successors for the uses of a public cemetery.

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Short title.

**1.** This Act may be cited as the Cemetery Act.

Appointment of  
Commissioners.

**2.** It shall be lawful for the Governor-General by Commission under his hand and seal to nominate and appoint seven persons to be and act as Commissioners of the public cemetery, and such Commission at any time as occasion may require from time to time to revoke, and other such Commission or Commissions to issue, and any three of such Commissioners shall form a quorum for the transaction of business.

Land to be  
vested in  
Her Majesty,  
Her heirs and  
successors for a  
public cemetery.

**3.** The land so selected, valued and appraised shall, immediately upon the payment of the said price or sum stand and be absolutely vested in Her Majesty, Her heirs and successors, to be appropriated to and for the purposes of a public cemetery for the parish and city of St. John, and the signing and registering of the said selection and appraisal of such land, together with the receipt for the price or purchase money of the same land, shall operate to dock and bar all estates tail and in remainder or reversion or dower, and all and every the estate, right, title, interest, use, trust, property, claim or demand of any person or persons with, out of, or upon the same land and premises.

Land to be  
enclosed.

**4.** The said Commissioners shall, as soon as possible after the said land shall have been selected and appropriated as hereinbefore mentioned, enclose the whole in a fit and suitable manner.