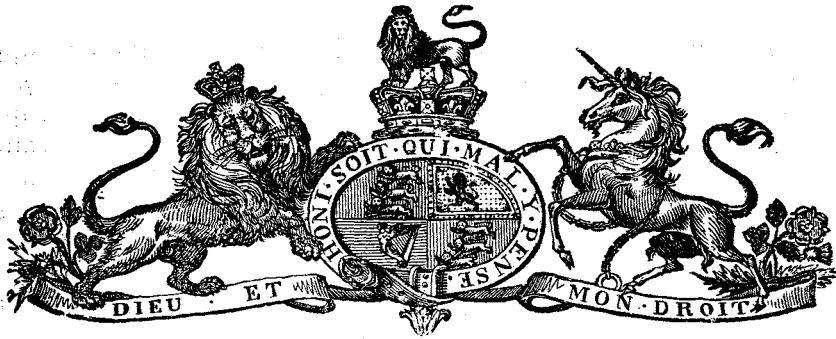


T A S M A N I A.



1 8 7 0.

ANNO TRICESIMO-QUARTO

VICTORIÆ REGINÆ,

No. 29.

AN ACT to amend *The Cemeteries Act, 1865.*
[18 October, 1870.]

WHEREAS it is expedient to amend *The Cemeteries Act, 1865*: PREAMBLE.
Be it therefore enacted by His Excellency the Governor of *Tasmania*, 29 Vict. No. 7.
by and with the advice and consent of the Legislative Council and
House of Assembly, in Parliament assembled, as follows:—

1 It shall be lawful for the Governor in Council to order the payment Payment of money to Trustees by Governor in Council.
to the Trustees of any Cemetery of all such sums of money as in the
opinion of the Governor in Council may be necessary for the formation
and establishment of such Cemetery; and all such sums of money shall
be paid out of the moneys raised by the issue and sale of Debentures
under “*The Cemeteries Loans Act, 1870,*” and shall be applied and
disposed of only in such manner as the Governor in Council approves.

2 All sums of money received by the Trustees of any Cemetery on Custody and application of moneys received by Trustees.
account of fees or penalties payable to them under *The Cemeteries Act,*
1865, shall be paid by them into some Bank to an account to be called
“*The Account of the Trustees of the (name) Cemetery,*” and no sum
of money whatever shall be drawn out from such account but by cheque
to be signed by at least Two of such Trustees.

3 Out of the moneys received by the Trustees of every Cemetery on Appropriation of moneys received by Trustees on account of fees and penalties.
account of fees and penalties there shall be paid into the Colonial
Treasury at such periods as the Governor in Council directs so much as
may be necessary to pay interest at Six Pounds per centum per annum
on the moneys paid to such Trustees under the First Section of this Act,
and a further sum of not less than One Pound per centum per annum

Cemeteries Amendment Act, 1870.

on such moneys for the purpose of forming a fund for the redemption of the Debentures issued and sold under "The Cemeteries Loans Act;" and all moneys so paid into the Colonial Treasury shall be placed to the credit of an account to be called "The Cemeteries Loan Account," and the residue of the moneys received by the said Trustees as aforesaid shall be applied in payment of the expenses incidental to the said Cemetery.

Accounts to be audited by the Colonial Auditor.

4 The account and abstract which the Trustees of every Cemetery are by *The Cemeteries Act, 1865*, directed to forward to the Colonial Secretary shall be transmitted by him to, and be audited by, the Colonial Auditor, and such Trustees shall be subject and liable to the provisions of *The Audit Act*; and no such account and abstract shall be published in the *Gazette* until the Colonial Auditor has certified that such account and abstract are correct.

Power to close existing burial grounds in *Hobart Town*.

5 Whenever any Cemetery is established for the City of *Hobart Town*, under the provisions of this Act or the said Act, and such Cemetery shall be opened and ready for use, it shall be lawful for the Governor in Council upon being satisfied that such Cemetery provides sufficient means of interment, and is within a convenient distance of *Hobart Town*, and that the Rules of such Cemetery sufficiently provide for permitting the burial of poor and indigent persons free of charge, by a Proclamation to be published in the *Gazette*, and in Two newspapers to be published in *Hobart Town*, to direct that on and after a day to be named in such Proclamation, not being less than Three months from the date of such Proclamation, all existing burial grounds and places of interment within the limits of the said City shall be closed; and on and after such day it shall not be lawful to bury, or permit or suffer to be buried, any further corpses or coffins in any such burial ground or place of interment; and whosoever, on or after such day, buries or causes to be buried, or permits or suffers to be buried, any corpse or coffin contrary to this enactment, shall for every such offence forfeit and pay a penalty of not less than Five Pounds nor more than Fifty Pounds; and the amount of all penalties so recovered shall be paid to the Trustees of the Cemetery so established for *Hobart Town*, and shall be by them applied in the same manner as other penalties payable to such Trustees are applicable.

If fees insufficient to pay interest, same may be paid out of principal.

6 If in any year within Five years after the passing of this Act the fees and penalties received by the Trustees of any Cemetery are found insufficient to pay the sum of money directed by this Act to be paid by them in respect of interest on the moneys paid to them out of the proceeds of the sale of Debentures under the First Section of this Act, then and in any such year it shall be lawful for the Colonial Treasurer for the time being to pay and apply a sufficient portion of the principal money raised by the issue and sale of such Debentures towards making good such deficiency of interest.

Repeal.

7 Sections Twenty-six, Twenty-seven, Twenty-eight, Thirty-two, and Thirty-three of *The Cemeteries Act, 1865*, are hereby repealed.

Acts to be read together.

8 This Act and *The Cemeteries Act, 1865*, shall, save as altered or amended by this Act, be read and construed together as one Act.

Short Title.

9 This Act may be cited as "The Cemeteries Amendment Act, 1870."