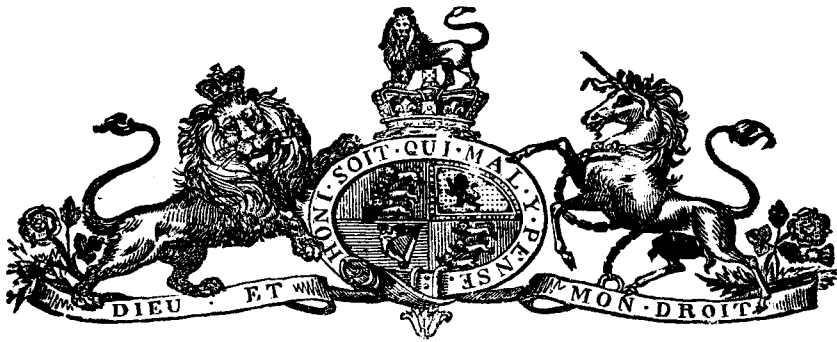


T A S M A N I A.



1872.

ANNO TRICESIMO-SEXTO

VICTORIÆ REGINÆ,

No. 17.



AN ACT to further amend *The Cemeteries Act*,
1865. [27 December, 1872.]

WHEREAS it is expedient to further amend *The Cemeteries Act*, 1865: PREAMBLE.
29 Vict. No. 7.

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 Any act, matter, or thing required by Law to be done, performed, or executed by the Trustees of any Cemetery may be lawfully done, performed, and executed by any Three of such Trustees. Acts of three
Trustees valid.

2 In any instrument made or entered into by the Trustees of any Cemetery it shall be sufficient to describe such Trustees as "The Trustees of the Cemetery," naming the Cemetery of which they are Trustees without otherwise naming them; and all proceedings at Law or in Equity may be had and taken by or against the Trustees of any Cemetery under the name of "The Trustees of the Cemetery," naming the Cemetery of which they are Trustees without otherwise naming them; and no action or suit shall abate by reason of any change taking place in the persons constituting such Trustees. Description of
Trustees in instru-
ments and legal
proceedings.

Every Certificate of the Right of Burial in "The *Hobart Town* Public Cemetery" signed by Three only of the Trustees of the said Cemetery before the commencement of this Act shall be deemed good and valid in law, anything contained in any law to the contrary notwithstanding.

Cemeteries Amendment Act, 1872.

Property may be laid in the Trustees.

3 In all proceedings, civil or criminal, relating to any building, monument, vault, cenotaph, tablet, tombstone, or other erection, or any wall, railing, fence, or gate in any Cemetery, or to any tree, sapling, shrub, or underwood growing in any Cemetery, it shall be sufficient to allege the property therein to be in "The Trustees of the Cemetery," naming the Cemetery of which they are Trustees without otherwise naming them.

The Colonial Secretary may grant permission to remove bodies from Burial Grounds.

4 It shall be lawful for the Colonial Secretary to grant Permission under his hand for the removal of the dead body or the remains of any dead body which may have been interred in any Burial Ground, subject to such precautions as the Colonial Secretary may prescribe as the condition of such permission; and any person who removes any such dead body or remains contrary to this enactment, or who neglects to observe the precautions prescribed as the condition of the Permission for removal, shall, on conviction, forfeit and pay for every such offence a sum not exceeding Ten Pounds.

No greater sum than 10s. to be paid upon exhuming the body of a deceased person from a Burial-ground.

5 It shall not be lawful for any person or body of persons, whether corporate or unincorporate, to demand, ask for, or receive from any person whomsoever for or in respect of the exhumation of the dead body or bodies of any person or persons, or the remains of any deceased person or persons, from any one grave, vault, or enclosure in any Burial-ground or place of interment for the purpose of interring the same in any Cemetery, any other or greater sum of money than Ten Shillings for each grave, vault, or enclosure which may be opened for any such purpose; and any person or body of persons offending against this Section shall be liable to a penalty not exceeding Ten Pounds.

No interment to take place within One and a half miles of Hobart Town, except in Cemetery and Burial-grounds already in use.

6 It shall not be lawful for any person or persons to inter or permit the interment of any dead body or bodies in any place (save and except the *Hobart Town* Public Cemetery and such Burial-grounds outside the boundaries of the City of *Hobart Town* as have been heretofore actually used as places of interment) within One mile and a half from the General Post Office at *Hobart Town*; and any person who 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.

The amount of all penalties imposed by this Section shall when recovered be paid to the Trustees of the *Hobart Town* Public Cemetery, and shall be by them applied in the same manner as other penalties payable to such Trustees are applicable.

Acts to be read together.

7 This Act and *The Cemeteries Act, 1865*, and "The Cemeteries Amendment Act, 1870," shall, save as altered or amended by this Act, be read and construed together as one Act.

Short title.

8 This Act may be cited as "The Cemeteries Amendment Act, 1872."