

PROVINCE OF TARANAKI.

\* PUBLIC CEMETERY  
ORDINANCE, 1861.

IN THE TWENTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY QUEEN VICTORIA.

SESSION X., No. 7.

AN ORDINANCE TO PROHIBIT BURIAL IN THE TOWN OF NEW PLYMOUTH, AND TO PROVIDE A PUBLIC CEMETERY IN LIEU THEREOF.

ANALYSIS.

Title.	denominations.
Preamble.	4. Board for management of Cemetery.
1. Burials in the Town of New Plymouth, with certain exceptions, to cease.	5. The conditions on which burials may take place in the Town.
2. Public Cemetery.	6. Penalties for infringement of Ordinance.
3. Superintendent may forthwith allot a portion of the Cemetery amongst the several religious	7. Operation of Ordinance.
	8. Short Title.
	Schedule.

*An Ordinance to prohibit Burial in the Town of New Plymouth and to provide a Public Cemetery in lieu thereof.*

WHEREAS it is expedient to discontinue with certain limitations the practice of burying the dead within the boundaries of the Town of New Plymouth and to apply for that purpose a portion of the Public Reserves vested in the Superintendent under the provisions of "The Public Reserves Act 1854" by deed of Grant dated the 20th day of August 1858 BE it therefore enacted by the Superintendent of the Province of Taranaki with the advice and consent of the Provincial Council thereof :—

1. That except as hereinafter provided all burials in the Town of New Plymouth shall cease one month after proclamation thereof in the Government Gazette.

2. The land the area and boundaries whereof are set forth in the Schedule hereto shall be and the same is hereby reserved as a Public Cemetery or burial place for the dead.

\* Proclaimed 14th January, 1862, by notice in Government Gazette, No. 2, 17th January, 1862.

3. The Superintendent may forthwith allot any portion of the said Cemetery not exceeding one-half of the total area amongst the several religious denominations of the Province.

Superintendent may forthwith allot a portion of the Cemetery amongst the several religious denominations.

4. The reserve shall be managed by a Board of not less than three persons to be appointed by the Superintendent with the approval of the Provincial Council who shall have power to make regulations for apportioning the cost of erecting and maintaining a boundary fence around the said Reserve amongst the several allottees thereof, for letting or selling sites for graves or vaults also for letting such parts of the said Reserve as may from time to time remain unappropriated and to apply the respective proceeds thereof in laying out the said ground as a Public Cemetery.

Board of management of Cemetery.

5. The parents husbands wives children brothers and sisters of any person buried previous to the time named in clause 1 in any of the graveyards of the said Town may be buried in the same graveyard Provided that such previous burial be recorded in the office of the Superintendent within two years from the date of the passing of this Ordinance.

The conditions on which burials may take place in the Town.

6. Any person infringing this Ordinance by burying or in anywise assisting at the burial of persons within the prohibited limits except as herein provided shall for every such offence forfeit and pay a penalty of Fifty Pounds to be recovered in a summary way.

Penalties for infringement of Ordinance.

7. This Ordinance shall not come into operation until after the date of the Governor's assent to the same.

Operation of Ordinance.

8. The Short Title of this Ordinance shall be the "Public Cemetery Ordinance 1861."

Short Title.

#### SCHEDULE.

Area of land 24 acres (more or less) Bounded on the North by a stream on the East by the Henui river on the South by the Botanic Garden Reserve and on the West by Somes' Park allotment F and a stream.

Schedule.

E. L. HUMPHRIES,  
Speaker.

Passed the Provincial Council the twenty-eighth day of October, one thousand eight hundred and sixty-one.

THOMAS KING,  
Clerk to the Provincial Council.

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PUBLIC CEMETERY ORDINANCE.

This Ordinance was presented to me on the twenty-eighth day of October, one thousand eight hundred and sixty-one, and I hereby declare that I reserve the same for the signification of the Governor's pleasure thereon.

CHARLES BROWN,  
Superintendent.

I hereby assent to this Ordinance this nineteenth day of November, in the year of our Lord one thousand eight hundred and sixty-one.

G. GREY,  
Administrator of the Government.