

CAP. XII.

An ACT to provide for the permanent Interment of the Remains of the late Lieutenant-Governor Smyth, within the Walls of the Parish Church of Fredericton.

Passed 11th March, 1824.

Preamble.

WHEREAS His Excellency Major-General George Stracey Smyth, late Lieutenant-Governor and Commander-in-Chief of this Province, a short time before his decease, solemnly enjoined the Executors named in his last Will, to have his Remains interred under the Church in Fredericton: *And whereas* by unanimous voice of the Church-Wardens and Vestry of the said Church in Fredericton, (there being no Rector at the time) permission was given to deposit the Body of the said Lieutenant-Governor, under the same Church, until the present meeting of this General Assembly, and the same was accordingly there deposited, and is now there remaining, in a temporary Vault prepared for the purpose, at the expence of the said Executors.

And whereas by an Act made and passed in the twenty-ninth year of the Reign of His late Majesty King George the Third, intituled, "An Act for erecting a Parish in the City of Saint John, and Incorporating the Rectors, Church-Wardens and Vestries, of the Church of England, in the several Parishes in this Province," it is provided and enacted, that thenceforth no Corpse should be interred within or under the Walls of any Church then erected or thereafter to be erected in this Province.

And whereas it is deemed advisable in compliance with the desire of the said Deceased,

to

to permit his Body to remain permanently deposited under the same Church, and to prevent the same from being removed.

I. *Be it therefore enacted by the President, Council, and Assembly,* That it shall and may be lawful for the Body of the said late Lieutenant-Governor, to remain interred under the said Church in Fredericton, any thing contained in the said recited Act to the contrary notwithstanding.

The Body to remain interred under the Church.

II. *Provided always, and be it further enacted,* That it shall be the duty of the said Executors of the Will of the said Deceased, at their expence, to cause the said temporary Vault to be further walled in and secured, in such manner and within such reasonable time, as shall be pointed out and directed by the Rector, Church-Wardens and Vestry, of the said Church, or by them approved of.

Executors to cause the Vault to be further secured.

III. *And be it further enacted,* That this Act shall be deemed a Public Act, and supplementary to the said hereinbefore recited Act.

To be deemed a Public Act.

IV. *And be it further enacted,* That this Act shall not for any cause whatever hereafter be taken or construed as a precedent for dispensing with any of the provisions of the herein before recited Act.

Not to be taken as a precedent.

CAP. XIII.

AN ACT to provide for the erection of Fences with Gates, across the Highway leading through Deer Island, in the Parish of West-Isles and County of Charlotte.

Passed 11th March, 1824.

I. **BE** it enacted by the President, Council, and Assembly, That when any Proprietor