

evidence, or to produce any document before him in such proceedings; and if any witness who shall be summoned to give evidence or produce any documents as aforesaid, shall not appear at the time and place specified in such Summons, or if the said Justice shall deem it to be necessary, before issuing any Summons, it shall and may be lawful for such Justice to issue his Warrant, under his hand and seal, to any Constable of the City and County of Saint John, requiring such Constable to bring the said witness before him at the time and place therein specified, in order to compel the attendance of the said witness to give evidence or produce the documents aforesaid, touching any breach of the provisions of this Act or of the said recited Act.

CAP. LIII.

An Act to make provision for a Public Burial Ground in and for the City and County of Saint John.

Passed 14th April 1849.

Preamble.

‘ **W**HEREAS it is found necessary to provide a Public Ground for the interment of the dead in the City and County of Saint John, in consequence of the Burial Ground in the City of Saint John being closed by law;’

Justices in Session authorized to purchase land for a Public Burial Ground.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the City and County of Saint John, at their General Sessions, or at any Special Sessions for that purpose to be holden, be and they are hereby authorized and empowered to contract and agree with any person or persons, or body corporate, for the purchase of any piece or parcel of land in the City and County of Saint John, which to them in their discretion may seem meet as and for a Public Burial Ground for the said City and County of Saint John, and to take, accept and receive a conveyance of such piece or parcel of ground so to be purchased for the purpose aforesaid; provided always, that the purchase money of such piece of land shall not exceed the sum of four hundred pounds.

Land to be vested in the Justices of the Peace, in trust for free interments.

II. And be it enacted, That the said land, so to be purchased in pursuance of this Act, shall be and forever remain vested in the Justices of the Peace for the City and County of Saint John, in trust, as a Public Burial Ground for the said City and County of Saint John, for the free interment of the dead of all religious denominations, without any charge for such interment; and that all charges which may be necessarily incurred in marking out such ground in lots for interments, and superintending the said Burial Ground, shall be annually paid out of the contingent funds of the said City and County; and that the said Justices, in Sessions, may make such rules and regulations for the management and government of the said Public Burial Ground as to them may seem meet.

Charge of superintendence to be defrayed from the contingent funds.

Purchase money to be paid by instalments, and assessed with the contingencies.

III. And be it enacted, That the purchase money of the said Burial Ground shall be paid by the said Justices, in Sessions, in five equal instalments; and the said Justices are hereby required and directed, in ordering the assessment for the contingencies of the said City and County for this current year, and for the four years next ensuing, to add thereto a sum not exceeding eighty pounds, together with the expenses of levying and collecting the same.