

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1856.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1856.

19 Victoria – Chapter 28

**An Act to incorporate the Saint Stephen Rural Cemetery. Passed 12th April 1856.**

Section.

1. Saint Stephen's Rural Cemetery incorporated.
2. Capital to be £2,500.
3. Call of first meeting.
4. Cemetery exempted from rates.

Section.

5. Penalty for injuries and other acts in the Cemetery; recovery.
6. Lots in the Cemetery exempted from execution.

Whereas a suitable place for the burial of the dead is much required in the Parish of Saint Stephen;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That S. H. Hitchings, William Todd, N. Lindsay, Nehemiah Marks, Timothy Crocker, A. H. Thompson, Daniel Harman, F. H. Todd, Z. Chipman, Daniel Sullivan, Samuel G. Stevens, their associates, successors, and assigns, be and they are hereby declared to be a body politic and corporate, by the name of "The Saint Stephen Rural Cemetery," and by that name shall have all the general powers and privileges made incident to a Corporation by any Act or Acts of the General Assembly now or hereafter to be in force in this Province, for the purpose of procuring and maintaining a Cemetery or Burial Ground in the Parish of Saint Stephen, in the County of Charlotte.
2. The capital stock of the said Corporation shall consist of the sum of two thousand five hundred pounds, and shall be divided into one thousand shares, to be paid in such sums and at such times as the Directors of such Corporation shall from time to time appoint.
3. The first meeting of the said Corporation shall be called by the Town Clerk of the Parish of Saint Stephen, or in case of his death, neglect, or refusal, by any two of the said Company, by giving ten days notice of the time and place of such meeting.
4. The land purchased and held by the said Corporation for the purposes herein expressed, is hereby declared to be exempted from all rates, assessments, and taxes, so long as the same shall remain dedicated to the purposes of a Cemetery.
5. If any person or persons shall wilfully destroy, mutilate, injure, or remove any tomb, monument, grave stone, or other structure placed in the Cemetery aforesaid, or any fence, railing, or other work for the protection or ornament of any tomb, monument, grave stone, or other

structure aforesaid, or shall wilfully destroy, remove, cut, break, or injure any tree, shrub, or plant, within the limits of the said Cemetery, or shall play at any game or sport, or shall discharge any gun or fire-arm save at a military funeral, within the said Cemetery, or who shall wilfully and unlawfully disturb any persons assembled in the said Cemetery for the purpose of burying any body therein, or who shall commit any nuisance within the said Cemetery, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof before any Justice of the Peace, be punished by a fine of not less than one pound or more than five pounds, or be committed to the common gaol for the space of not more than thirty days, according to the nature and aggravation of the offence; and such offender shall be liable to an action of trespass to be brought against him in any Court of competent jurisdiction, in the name of the Corporation, to pay all such damages as shall be occasioned by his or their unlawful act or acts, which money when recovered shall be applied by the Corporation to the reparation of the property destroyed or injured as above; and members of the Corporation shall be competent witnesses in such suits.

6. The lots in the said Cemetery, and the land enclosed but not laid out in lots, shall not be levied upon or taken in execution, but shall be altogether free from seizure, and the property in the same or any part thereof shall not prevent any confined debtor from receiving support under the Law for the relief and support of confined debtors.