

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1857.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1857.

20 Victoria – Chapter 26 Session 2

**An Act to incorporate the Saint Andrews Rural Cemetery. Passed 26th March 1857.**

Section.

1. Company incorporated.
2. Capital, amount of.
3. First meeting of Corporation, call of.
4. Cemetery exempted from taxes.

Section.

5. Penalties for injuries, sporting and disturbances; recovery and application.
6. Cemetery lots except from execution.
7. Setting apart of portions of Cemetery for exclusive uses.

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

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

1. That G.P. Campbell, D. W. Jack, James Boyd, Thomas Jones, Thomas T. Odell, John Zachary, Robert Stephens, George F. Stickney, Hugh Morrison, Charles Bradley, and Samuel T. Gove, their associates, successors, and assigns, be and they are hereby declared to be a body politic and corporate by the name of The Saint Andrews Rural Cemetery Company, 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 the Province, for the purpose of procuring and maintaining a Cemetery or Burial Ground in the Parish of Saint Andrews, 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 Andrews, 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.

7. The Corporation may set apart for the special and exclusive use of any denomination of Christians a portion of the ground within the said Cemetery, on such terms and conditions, and subject to such regulations, as may be mutually agreed on.