

*Laws of Her Majesty's Province of Newfoundland*, passed in the year 1849.

12 Victoria – Chapter 13

**An Act to prohibit Interments within the Town of St. John's. (Passed 23d April, 1849.)**

Whereas it is essential to the Preservation of the Health of the Inhabitants of the Town of Saint John's, that the respective Burial Grounds now used within the said Town should be Closed, and that Interments of the Bodies of Deceased Persons within the Limits and Boundaries hereinafter mentioned should be Prohibited, from and after a time to be appointed for that purpose: And whereas other Burial Grounds have been provided in situations more suitable:

Be it therefore enacted, by the Governor, Council and Assembly of Newfoundland, in General Assembly convened, and by the authority of the same, that from and after such time as shall be named by His Excellency the Governor and Council, and publicly notified in the Royal Gazette of this Colony, all and every the Burial Grounds situate and lying within the Limits and Boundaries hereinafter mentioned, shall cease to be used for the Interment therein of the Bodies of Deceased Persons; and that from and after the time to be appointed and notified in manner herein before provided, it shall not be lawful for any Person or Persons whomsoever, to Inter the Body of any Deceased Person within the Boundaries and Limits following; that is to say,—Commencing at the Southern End of the Gas Works Fire-break, thence following the direction of the said Fire-break North Westerly, Sixteen Hundred and Fifty Feet, more or less, until it intersects the Road leading to Monday's Pond; thence running North Easterly in a straight line, Seven Thousand Three Hundred Feet, more or less, to the Bridge over the Stream running from Uppey Long Pond, and situate on the Old Portugal Cove Road near Rennie's Mill; thence from the said Bridge, following the course of the said Stream Two Thousand Eight Hundred Feet, more or less, Easterly, to the North West Angle of a Lot of Land granted to the Lord Bishop of Newfoundland, and appropriated as a Cemetery; thence following the Western Boundary Line of the said Cemetery, Southerly, Five Hundred and Seventy-six Feet, more or less, to the South West Angle thereof; thence following the Southern Boundary of the said Cemetery, Easterly, Four Hundred and Fifty-six Feet, more or less, to its South Eastern Angle, and thence in a straight line to the junction of the Roads leading to Quidi Vidi; thence following the direction of the last-named Road, Easterly, to the Stream running from George's Pond; thence following the direction of the said Stream, Southerly, to the Ordnance Boundary Line; thence following the direction of the said Boundary Line, Westerly and Southerly, to the Shore; and thence following the windings of the Shore, Westerly, to the place of commencement: Save and Excepted always thereout the Ground granted to the Right Reverend Bishop Fleming, and described in a certain Grant thereof, bearing date the Thirtieth day of June Anno Domini One Thousand Eight Hundred and Thirty-eight.

II. And be it further enacted, That the said Burial Grounds now used and situate within the limits aforesaid, shall remain under the Care, Management, Direction, and Control, of the Clergy, Church Wardens, Trustees or Committees respectively for the time being, of the Churches or Congregations to which the same respectively belong, and in whom the said respective Burial Grounds are at present by Law or Custom vested: and shall be Fenced, Protected, Planted, and Managed, in such ways and manner, and during such times and under such Regulations and Restrictions, as the Clergy, Church

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Wardens, Trustees, or Committees, of the respective Churches or Congregations to which the said Burial Ground belong, shall from time to time direct and establish concerning the same.