

*Laws of Her Majesty's Province of United Canada*, passed in the year 1856. Quebec: Stewart Derbyshire and George Desbarts, 1856.

20 Victoria – Chapter 57

**An Act to amend the Act authorizing disinterments in certain cases in Lower Canada. Assented to 19th June, 1856.**

Whereas it is expedient to amend the Act passed in the sixteenth year of Her Majesty's Reign, intituled, *An Act to permit of disinterments in certain cases, and for other purposes therein mentioned*: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. Whenever it shall have been determined by competent authority of the Roman Catholic Church in Lower Canada to remove any old burial ground, or to open a new burial ground, within any parish or mission of that Church in Lower Canada, it shall be lawful for any Judge of the Superior or of the Circuit Court for Lower Canada, on a petition being presented by the Parish Priest or Missionary, and by the majority of the Church Wardens of the Roman Catholic Church or Congregation to which such old burial ground belongs, or to whose use it is applied, to grant them a permission to cause or to allow all or any of the bodies buried in such old burial ground to be removed to such new burial ground.

II. It shall be the duty of such Parish Priest, Missionary or Church Wardens, as the case may be, to cause a register to be kept of all bodies which shall be removed from such old burial ground, shewing, as far as may be possible, the names and surnames of the deceased whose bodies are so removed, and also the names and surnames of those requiring such removal, or that they were removed by order of such Priest or Missionary, and of the Church Wardens of such Church or Congregation.

III. Such register shall be certified by such Priest or Missionary ministering to the Church or Congregation to which such old burial ground shall belong.

IV. No application made to any such Priest or Missionary, or to any such Church Wardens, for the removal of any particular body, shall be granted unless accompanied by an affidavit as required by the first section of the Act hereby amended.

V. Such affidavit may be sworn to before a Judge or Commissioner for receiving affidavits, or before the Priest or Missionary, or before any of the said Church Wardens, all of whom are hereby empowered to administer the requisite oath.

VI. The expression "burial ground" shall apply to any portion of a burial ground which shall be removed as aforesaid, and the words "Church Wardens" shall include any officers of a Roman Catholic Church or Congregation having the management of its burial ground, by whatever name they may be known.

VII. Before proceeding to any disinterment in any burial ground under this Act, permission to that effect shall be obtained from the Superior Ecclesiastical authority of the Roman Catholic Diocese in which the same is situate.