

No. XXVIII.

AN ACT to vest a certain parcel of Land at or near Kaiapoi in the Mayor, Councillors, and Burgesses of the Borough of Kaiapoi, for the purposes of a Public Cemetery. [20th November, 1877.]

KAIAPOI CEMETERY.

WHEREAS the parcel of land described in the Schedule hereto was on or about the twenty-third day of February, one thousand eight hundred and sixty-six granted, to the Superintendent of the then Province of Canterbury for the purposes of a racecourse, but it has not been used for that purpose; and it is expedient that the said land should be granted to the Mayor, Councillors, and Burgesses of the Borough of Kaiapoi, for the purposes of a public cemetery:

Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act shall be "The Kaiapoi Cemetery Act, 1877."

Short Title.

2. The parcel of land described in the Schedule hereto shall be and the same is hereby vested in the Mayor, Councillors, and Burgesses of the Borough of Kaiapoi (herein called "the Corporation"), and their successors, in trust for the purposes of a public general cemetery.

Land in Schedule vested in Corporation of Kaiapoi.

3. The Corporation shall have and may exercise the following powers and duties:—

Powers of Corporation.

(1.) May enclose all or any part or parts of the said land, and prepare a general plan, and also, out of the funds derived under this Act, erect a chapel or other building for the performance of a funeral service:

(2.) May appoint, and from time to time remove, such officers and persons as may be necessary for the administration of this Act, and pay them such salaries as the Corporation deems fit:

(3.) May pay such salaries and all necessary and incidental charges of management of the Cemetery out of the moneys which may be received under the provisions of this Act.

4. The Corporation may from time to time make by-laws, in the manner provided by "The Municipal Corporations Act, 1876," for the following purposes:—

Corporation may make by-laws for management of Cemetery.

(1.) To fix and settle the fees to be paid in respect of interments in the Cemetery, also the sums to be paid for the exclusive right of burial in perpetuity or for a limited period, and also the right of erecting and placing any monument, tablet, gravestone, or monumental inscription in the Cemetery, and from time to time revise and alter such fees and sums:

LOCAL.Kaiapoi Cemetery.

Table of fees to be affixed in Cemetery.

Cemetery to be open for interments.

Application of moneys derived under Act.

Penalty for destroying buildings, walls, &c., in Cemetery.

Penalty for offences in Cemetery.

How fees and penalties recoverable.

Schedule.

(2.) To direct by whom such fees and sums shall from time to time be received :

(3.) To sell, under such conditions and restrictions as it may think proper, the exclusive right of burial either in perpetuity or for a limited period in any part of the Cemetery, also the right of constructing any vault or place of burial with the exclusive right of burial therein in perpetuity or for a limited period, and also the right of erecting and placing any monument, gravestone, tablet, or monumental inscription in the Cemetery :

(4.) For the preservation of decency and order in such Cemetery.

5. A table showing the fees and sums payable under any such by-laws shall be affixed in and maintained in a conspicuous part of the Cemetery, and, subject to such by-laws, the said Cemetery shall be open for the interment of deceased persons, to be buried with such religious or other ceremonial, if any, as the friends of such deceased persons shall provide.

6. The moneys to be received by the Corporation under the authority of this Act shall be paid to a separate account in the Borough Fund, and shall be applied in the first place in the payment of current necessary expenses, and subject thereto shall be laid out in the permanent improvement of the Cemetery, and for no other purpose.

7. Every person who shall wilfully destroy or injure any building, wall, or fence belonging to the Cemetery, or destroy or injure any plant or tree therein, or who shall daub or disfigure any wall thereof, or wilfully destroy, injure, or deface any monument, tablet, inscription, or gravestone within the said Cemetery, or do any other wilful damage therein, shall be liable to a penalty not exceeding five pounds.

8. Every person who shall play at any game or sport, or discharge firearms, save at a military funeral, in the Cemetery, or who shall wilfully and unlawfully disturb any persons assembled in the Cemetery for the purpose of burying any body therein, or who shall commit any nuisance within the Cemetery, shall be liable to a penalty for every such offence not exceeding five pounds.

9. All moneys, fees, and penalties recoverable under this Act, or any by-law made in pursuance thereof, may be recovered in a summary manner, as provided by "The Justices of the Peace Act, 1866," and any Act amending the same.

SCHEDULE.

ALL that parcel of land in the Province of Canterbury, in our Colony of New Zealand, situate in the Mandeville District, containing by admeasurement fifty acres, more or less; commencing at a point on the North Road, the same being the south-western corner of Section 1259; thence easterly following the southern boundary of that section and a line in continuation thereof, and onwards in the same straight line along the southern boundary of Section 1087, a distance altogether of twenty chains; thence southerly at a right angle following the western boundary line of Sections 1087 and 1921, a distance of thirty-one chains fifty links; thence westerly at a right angle to the Native Reserve of Kaiapoi; thence northerly following the eastern boundary of the said reserve to the Old North Road, and from thence returning along that road to the commencing point; and numbered 120 (in red) on the map of the Chief Surveyor of the Province of Canterbury, setting out and describing the rural land in the Mandeville District aforesaid. Subject nevertheless to the road, one chain wide, passing through this reserve from a point on the northern boundary, being seven chains thirty links from the north-western corner, and crossing the western boundary at a point being fourteen chains twenty links from the south-western corner; also, to another road branching from the one last mentioned at the northern boundary of this reserve, and crossing the southern boundary at a point being five chains sixty links from the south-eastern corner for which roads allowance is made in the acreage.