

Lots in Cemetery to be indivisible.

Penalty on persons destroying monuments, &c.

The preceding section to be posted up.

Corporation may receive donations for improvement of Cemetery.

Cemetery exempt from taxes.

Corporation may appoint a Secretary and make By-laws.

No burial in the chapel.

Cemetery to be inclosed.

And kept in good order.

V. And be it enacted, That all lots of ground when conveyed and designated, and numbered as lots by the said Corporation, shall be indivisible, but may be held and owned in undivided shares.

VI. And be it enacted, That any person who shall wilfully destroy, mutilate, deface, injure or remove any tomb, monument, grave-stone or other structure placed in the Cemetery aforesaid, or any fence, railway or other wall for the protection or ornament of the said Cemetery, or of any tomb, monument or grave-stone or other structure aforesaid, or shall wilfully destroy, cut, break or injure any tree, shrub or plant or flower within the limits of the said Cemetery, or commit any other kind of trespass, or play at any game or sport, or discharge fire-arms (save at a military funeral) in 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 therein, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, before a Justice of the said City of Toronto or County of York, or other Court of competent jurisdiction within the said City or County, be punished by a fine not less than ten shillings, nor more than ten pounds currency, according to the nature and aggravation of the offence, and such offender shall also be liable in an action of trespass to be brought against him in any Court of competent jurisdiction, in the name of such Corporation, to pay all such damages as shall have been occasioned by his unlawful act or acts, which money when received shall be applied by the said Corporation to the reparation and restoration of the property destroyed or injured as above, and the members of the said Corporation shall be competent witnesses in such suits.

VII. And be it enacted, That it shall be the duty of the said Corporation to put up and maintain in at least three conspicuous places within the limits of the said Cemetery a printed notice containing the words of the preceding section.

VIII. And be it enacted, That the said Corporation may take and hold any grant, donation or bequest of property upon trust, to apply the same or the income thereof for the improvement or embellishment of the said Cemetery, or for the erection of any tomb, monument or grave-stone, fence, railing or other erection, or for the planting and cultivation of trees, shrubs, flowers or plants in or around any cemetery lot, or for improving the said premises in any other manner or form consistent with the design and purposes of this Act, according to the terms of such grant, donation or bequest.

IX. And be it enacted, That the said Cemetery shall be and is hereby declared exempt from all public taxes, rates or assessments, and shall not be liable to be sold on execution, or be applied in payment of debts due from any individual proprietor or proprietors, but they and their heirs or devisees or assigns may for ever hold the same entirely and totally exempt therefrom as long as the same shall remain dedicated to the purposes of a Cemetery, and during which time no public street, road or avenue shall be laid through the Cemetery or any part of the lands held by the said Corporation for the purposes aforesaid, except by special permission of the Legislature.

X. And be it enacted, That the said Corporation shall appoint a Secretary to the same, with power to dismiss and re-appoint or appoint another at pleasure, and are hereby authorized to make By-laws, and to repeal or alter the same, such By-laws not being inconsistent with any existing law, for the management of its property, the regulation of its affairs, and the transfer of the shares; right or interest of the Members of the said Corporation.

XI. And be it enacted, That no body shall be buried in any vault under any Chapel, or other building in the said Cemetery, or within fifteen feet of the outer wall of any such Chapel or building.

XII. And be it enacted, That every part of the said Cemetery shall be inclosed by walls or other sufficient fences or railings of the height of eight feet at least.

XIII. And be it enacted, That the said corporation shall keep the said cemetery and the buildings and fences thereof in complete repair and in good order and condition out of the moneys to be received by them in virtue of this Act.