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No. 185.

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2nd Session, 5th Parliament, 19 Victoria, 1856.

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**BILL.**

An Act to amend the Act 16 Vict., chap. 174,  
intituled, "*An Act to permit of disinter-  
ments in certain cases, and for other  
purposes therein mentioned.*"

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Received and read, first time, Wednesday, 9th  
April, 1856.

Second reading, Wednesday, 16th April, 1856.

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MR. A. A. DORION.

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TORONTO :

PRINTED BY JOHN LOVELL, YONGE STREET.

**An Act to amend the Act authorizing disinterments in certain cases in Lower Canada.**

**W**HEREAS 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,*" so as to avoid the necessity of a separate application and proceeding in each particular case; Therefore Her Majesty, &c., enacts as follows:

Preamble.

I. Whenever it shall have been determined by competent authority to remove any old burial ground, or to open a new burial ground, within any parish, township, or mission, 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, Missionary or Minister, and by the majority of the Church Wardens or Trustees of the 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.

Judge may grant one order applicable to the whole of any burial ground.

II. It shall be the duty of such Parish Priest, Missionary or Minister, Church Wardens or Trustees, 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 were removed by order of such Priest, Missionary or Minister, and of the Church Wardens or Trustees of such Church or Congregation.

Register to be kept of the bodies removed.

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

How to be attested.

IV. No application made to any such Priest, Minister or Missionary, or to any such Church Wardens or Trustees, 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.

Application for removal of particular body to be on affidavit.

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

Before whom affidavit may be sworn.

Interpretation  
clause.

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" or "Trustees" shall include any officers of a Church or Congregation having the management of its burial ground, by whatever name they may be known.