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No. 70.

(PRIVATE BILL.)

1st Session, 4th Parliament, 16 Victoria, 1862.

BILL.

An Act to amend the Act to Incorporate
the "*Montreal Cemetery Company*,"
and for other purposes therein men-
tioned.

Received and read a first time, Wednesday, 15th
September, 1862,

Second reading, Monday, 20th September, 1862.

HON. MR. YOUNG.

QUEBEC:

PRINTED BY JOHN ROYALL, MOUNTAIN STREET.

B I L L .

An Act to amend the Act to Incorporate "*The Montreal Cemetery Company*," and for other purposes therein mentioned.

WHEREAS it is expedient to amend the Act passed in the Session held in the tenth and eleventh years of Her Majesty's Reign, and entitled "*An Act to Incorporate the Montreal Cemetery Company*," and to change the name thereof; Be it therefore enacted, &c.,

Preamble.

That the corporate name of the said Company, be changed to "*The Spring Grove Cemetery Company*."

Name of Company.

10 II. And be enacted, That the Trustees of the said Company shall have power to make broken or irregular lots of less or more than one hundred superficial feet, and to charge for the same in proportion to the superficies thereof.

Power given to Trustees to make broken lots.

15 III. And be it enacted, That the fourteenth section, and the proviso of the fifteenth section of the said Act, shall be and are hereby repealed, and instead thereof, be it enacted, That in the event of the consecration of the said Cemetery or any part thereof, by any Religious denomination holding property therein, such act of consecration shall not be held to invest the said Religious body with any exclusive powers of jurisdiction either spiritual or temporal within the said Cemetery, saving the powers invested in such Religious bodies under the provisions contained in the twentieth section of said Act.

14th Section and Proviso of 15th Section of Act of Incorporation repealed.

Consecration not to give any religious body exclusive jurisdiction.

25 IV. And be it enacted, That no Religious denomination shall be entitled to elect one Trustee, unless the members of such Religious denomination are subscribers of twenty shares of the Capital Stock of the said Company.

As to right of electing Trustees.

V. And be it enacted, That the real estate of the said Company, and the lots or plots when conveyed by the Company to individual proprietors, shall be exempt from taxation or assessment

Exemption of real estate from taxation.

of any kind, and not liable to be seized or sold on execution, or attached or applied to the payment of debts by assignment under any Bankrupt or Insolvent Law. That all the lots or plots of ground when conveyed or numbered as lots shall be indivisible, but may afterwards be held and owned in undivided shares. 5

Trespasser
&c. may be
sued by
Corporation.

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, railing or other work for the protection of the said Cemetery, or of any tomb, monument, grave stone or other 10 structure aforesaid, or of any lot within the Cemetery aforesaid, or shall wilfully destroy, cut, break or injure any tree, shrub or plant within the limits of the said Cemetery, or play at any game or sport, or discharge fire arms (save at a military funeral) in the Cemetery aforesaid, or who shall wilfully or unlawfully disturb 15 any persons assembled, for the purpose of bringing any body therein, or who shall commit any nuisance in any such Cemetery, shall be deemed guilty of misdemeanor, and shall upon conviction thereof, before any Justice of the Peace, or other Court of competent jurisdiction, be punished by a fine of not less than one pound nor 20 more than ten pounds, according to the nature of the offence; and such offender shall also be liable to an action of trespass to be brought against him in any Court of competent jurisdiction, in the name of the said Company, to pay all damages which shall be occasioned by his unlawful act or acts; which money when recovered 25 shall be applied under the direction of the Trustees, to the reparation and reconstruction of the property destroyed or injured, and members and officers of the Company may be competent witnesses in such suits.

Portion of Cemetery may be assigned to Jews.

VII. And be it enacted, That the said Company shall be and 30 are hereby empowered to assign a certain portion of the Cemetery for the exclusive use of the members of the Jewish persuasion, subject to such condition as the Trustees may prescribe.

Public Act.

VIII. And be it enacted, That this Act shall be deemed a Public Act. 35