

## No. 17 of 1886.

### An Ordinance to amend "The General Cemeteries Ordinance, 1862."

(See No. 12 of 1862.)

Preamble.

**W**HEREAS "The General Cemeteries Ordinance, 1862," requires in some respects to be amended: It is hereby enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

This Ordinance and the Ordinance No. 12 of 1862 to be read and construed together.

1 This Ordinance and "The General Cemeteries Ordinance, 1862," hereinafter called "the principal Ordinance," shall be construed and read as one Ordinance.

*General Cemeteries.*

**2** Where any portion of a general cemetery has been or shall hereafter be set apart for the special use of any religious denomination under section 12 of the principal Ordinance, such portion shall, for the purposes of the principal Ordinance, but for no other purpose whatsoever, vest in the person or persons to whom such portion has been or may hereafter be conveyed, by deed executed by the Governor, in trust for such denomination.

Portion of cemetery set apart for use of any religious denomination to vest in trustees.

**3** It shall be lawful for such person or persons acting as trustee or trustees to appoint from time to time a board of management, consisting of three or more members; and such board, or a majority of the members thereof, may exercise any of the following powers in respect of such portion of any cemetery as aforesaid, anything which may be contained in the principal Ordinance to the contrary notwithstanding:

Trustees may appoint board of management. Powers of board defined.

(a) Power to appoint a keeper, grave-diggers, and other servants necessary for the care and use of such portion of any cemetery;

(b) Power to grant the exclusive right of burial in any plot or plots of land within such portion, or the right of one or more burials therein, or the right of placing any monument or gravestone over any grave, or any tablet or monumental inscription on the walls of any chapel or building within such portion.

Every grant under this section shall be in writing, and signed by a member of, or by the keeper appointed by, such board, in the presence of one or more witnesses, and shall be issued on payment of such fee or fees as such board shall determine with the approval of the Governor in Executive Council.

**4** All burials shall be registered in register books to be kept for that purpose by the keeper appointed by such board; and such books or certified copies or extracts therefrom shall be received in all courts as *prima facie* evidence of such burials; and copies or transcripts thereof shall be from time to time sent by such keeper to such public officer as shall be appointed by the Governor to receive the same.

Register of burials.

**5** Such board of management shall keep or cause to be kept a register in due form of the grants issued under section 3, and such register shall be open to inspection at all reasonable times by any grantee or other person claiming the right of exclusive burial by assignment from such grantee, upon payment of a fee of fifty cents.

Register of grants.

**6** Every assignment of the exclusive right of burial shall be valid if executed before one or more witnesses, and every such assignment shall, within six months after the execution thereof, be produced to such board, who shall, upon payment of a fee of fifty cents, cause an entry of such assignment to be made in the register in the same manner as that of the original grant, and until such entry no right of burial shall be acquired under any such assignment.

Assignment of exclusive right of burial.

Fees payable to board.

7 All fees payable under section 21 of the principal Ordinance in respect of any portion of any cemetery set apart for the special use of any religious denomination, and all fees payable under this Ordinance, shall be paid to, and appropriated by, the board of management for such portion, and shall be duly applied towards the proper upkeep and maintenance of the same.

Effect of sections 22 and 23 of Ordinance No. 12 of 1862.

8 Nothing herein contained shall relieve the general keeper of any cemetery who may be appointed by the Governor under section 17 of the principal Ordinance from the duties imposed upon him by section 22 of that Ordinance; but no such keeper, after the coming into operation of this Ordinance, shall execute any grant under section 23 of the principal Ordinance in respect of any portion of such cemetery which is set apart for the special use of any religious denomination.

23rd December, 1886. \_\_\_\_\_