

**BALMAIN CEMETERY.** **An Act to enable certain persons carrying on business under the name of the Balmain Cemetery Company to inter the dead in any part of the land near the Balmain Road belonging to them and now used as a Cemetery. [16th December, 1881.]**

Preamble. **W**HEREAS James Martyn Combes Alexander Henry Brown and Barbara Patten Francis George Patten and William Patten (the said Barbara Patten Francis George Patten and William Patten being the Trustees and executrix and executors of the will of William Patten deceased) are the present owners and proprietors of the lands situate in the Borough or Municipal District of Leichhardt and known as the Balmain Cemetery And whereas the said James Martyn Combes Alexander Henry Brown and Barbara Patten Francis George Patten and William Patten have for many years and before the incorporation of the Borough or Municipal District of Leichhardt carried on business under the name of the Balmain Cemetery Company and used the said lands as and for a public burial-ground or place for the interment of the dead and before and since the incorporation of the said Borough or Municipal District of Leichhardt and before and since the making of the present by-laws of the said Borough or Municipal District the said Company have sold to various persons portions of the said Cemetery for the purpose of burying their dead therein and in many cases such persons

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persons have erected upon the said portions of land vaults in which to inter and place their dead and in many of the said portions of ground and vaults no bodies have yet been interred and in others there are interred therein a smaller number of bodies than can be interred therein And whereas by the by-laws of the said Borough or Municipal District it is provided that "Every grave or vault shall be of the depth of seven feet at the least and not less than seven feet distant from any other grave or vault and not more than two adults shall be interred in one grave within the said Municipal District" and also that "No body shall be interred within the distance of one hundred feet from any public building place of public worship school-room dwelling-house public pathway road or place whatsoever within the said Municipal District" Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

1. It shall be lawful for the said Company on each day between Power to inter dead. the hours of eight in the morning and five in the afternoon to inter the dead in any part of the said land situated near the Balmain road within the said borough of Leichhardt now belonging to the said Company and which has been heretofore used as a cemetery save and except a space of sixty feet from the boundaries thereof Provided that every grave or vault shall be of the depth of seven feet at the least and not more than one adult shall be interred in each grave unless they be members of the same family when two adults may be so buried and each grave shall not be less than three feet laterally from any other grave Provided further that the said restriction as to interments within sixty feet from the boundaries of the said land and as to interments within three feet laterally from any other grave shall not apply to any land within the said Cemetery which was before the first day of August one thousand eight hundred and eighty-one purchased by any person or persons from the said Company for the purpose of interring their dead therein and which is now enclosed or shall be enclosed within six months after the passing of this Act.

2. This Act may be cited as the "Balmain Cemetery Act of Short title. 1881."