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[1955.]

CEMETERIES ACT, 1897-1946.

Ravensthorpe Public Cemetery.

Local Government Department,

Perth, 5th January, 1955.

L.G. 545/53.

HIS Excellency the Governor in Executive Council, acting under the provisions of the Cemeteries Act, 1897-1946, has been pleased to approve of the repeal of all by-laws heretofore made under the Act for the management of the Ravensthorpe Public Cemetery, published in the *Government Gazette* on the 17th December, 1926, and to approve of the substitution in lieu thereof of the by-laws set forth in the Schedule hereunder.

A. E. WHITE,

Acting Secretary for Local Government.

Schedule.

Ravensthorpe Public Cemetery By-laws.

Whereas by the Road Districts Act, 1919-1948, the Board of a road district is empowered to undertake the management and control of any public cemetery and may be appointed trustees thereof.

And whereas the Phillips River Road Board has been duly appointed the trustees of the Ravensthorpe Public Cemetery.

And whereas by the Cemeteries Act, 1897-1946, and its amendments, the trustees are empowered to make by-laws for any of the purposes mentioned in the said Act and its amendments.

Now, therefore, the trustees of the Ravensthorpe Public Cemetery (hereinafter referred to as "the trustees"), do hereby repeal the by-laws heretofore made and in force in respect of the said cemetery and in lieu thereof make the following by-laws.

1. All fees and charges payable to the trustees as set forth in Schedule A hereto shall be paid at the times and manner therein mentioned, unless otherwise ordered.

2. The "secretary" as referred to in these by-laws means the person for the time being employed by the trustees as the secretary of the cemetery and such person shall, subject to the trustees, exercise a general supervision and control over all matters pertaining to the cemetery, and

to the carrying out and enforcement of these by-laws, and the direction of such person shall in all cases and for all purposes be presumed to be and to have been the direction of the trustees.

3. The "superintendent" as referred to in these by-laws means the person for the time being employed by the trustees as the superintendent of the cemetery, and such person shall, subject to the trustees, have charge of the general care of the cemetery, and supervision of the erection or placing of monumental work and fixtures, also the supervision of interments, the opening, closing and dressing of graves, and such other duties as are mentioned in these by-laws or ordered by the trustees.

4. Any person desiring to inter any dead body in the cemetery shall make application in the form contained in Schedule B hereto.

5. All applications for interment shall be made at the offices of the trustees, in such time as to allow at least six working hours' notice being given to the superintendent at the cemetery, prior to the time fixed for burial, otherwise an extra charge shall be made.

6. The trustees shall cause all graves to be dug any vaults, brick graves, or graves to be re-opened as and when required.

7. Every coffin shall have upon the lid an approved metal plate bearing the name of the deceased stamped or otherwise indelibly inscribed in legible characters thereon. Any coffin not complying with this by-law will not be admitted to, or be interred in the cemetery.

8. Every grave shall be at least 6ft. deep at the first interment, and no interment shall be allowed in any grave with a less depth than 3ft. from the top of the coffin to the original surface of the surrounding ground.

9. In the case of an application for interment in any private grave or vault to which the deceased had no claim during life, the written and verified consent of the grantee shall be handed in with the application.

10. If application be made for an "interment" in any grave or vault of the remains of any person other than the person to whom the grant was issued, or his registered assign, the written and verified consent of such grantee or assignee shall be produced, together with the "Grant of Right of Burial."

11. Should the grantee be unable to produce the "Grant of Right of Burial" on making application for a grave to be re-opened, for the purposes of interment, through having lost the same, the said grantee shall make a sworn declaration to this effect, and shall pay the fee of a copy of such "Grant of Right of Burial" as prescribed in Schedule A hereto before the interment takes place.

12. No burial shall be allowed to take place in the cemetery, nor shall any coffin be allowed to enter the cemetery, unless a medical certificate of death, or a coroner's order for burial is handed to the secretary, at the latest, upon the funeral entering the cemetery. Should the undertaker or his representative be unable to produce the said certificate from the registrar, he shall give a writ-

ten guarantee to produce the same within three days, and satisfactory reasons must be given for the non-production of such certificate in the first instance. In default of the production of the said certificate within three days, the undertaker's license may be suspended until such a certificate is produced. The certificate will be retained, but the coroner's order shall be returned to the person delivering the same.

13. No interment shall be allowed on Sunday except by written permission of the trustees or when it is certified in writing by a medical officer of health, or by a police magistrate, or by two Justices of the Peace, that for sanitary or special religious reasons, it is necessary or advisable that the burial take place on that day.

14. Unless otherwise ordered, the principal entrance to the cemetery shall be open daily between the hours of 8 a.m. and 5.30 p.m.

15. The hours of burial shall be as follows:— Week days, from 9.20 a.m. to 5 p.m.; Saturday, from 9 a.m. to 12 a.m. at penalty rates, and no burial shall be allowed to take place, nor any coffin allowed to enter the cemetery, at any other hour except by the written permission of the trustees.

16. The time fixed for any burial shall be the time at which the funeral is to arrive at the cemetery gates, and, if not punctually observed, the undertaker responsible shall be liable to a fine of 10s. 6d.

17. If for any reason the funeral shall on arrival at the entrance gates of the cemetery, remain there for more than 15 minutes prior to proceeding to the graveside, the undertaker responsible shall be liable to a fine of 10s. 6d.

18. Every funeral shall enter by the principal entrance, and no vehicle, except the hearse and mourning coaches, shall be permitted to enter the cemetery, or stand opposite the entrance gates. Vehicles shall not be allowed to proceed faster than five miles per hour within the cemetery, and shall proceed at and by such roads as directed by the superintendent or other officer of the trustees from time to time. Any driver or other person failing or neglecting to observe such directions may be forthwith expelled from the cemetery. No bicycle shall be ridden within the cemetery.

19. If application be made to the trustees to exhume any corpse for the purpose of examination or identification, or for the purpose of its being buried elsewhere in accordance with the wishes of the deceased or of his family, an order from the Governor or the warrant of the Coroner or a Justice of the Peace issued in accordance with the law authorising the board to permit of the exhumation must be attached to the application form.

20. Children under the age of 10 years entering the cemetery must be in charge of some responsible person.

21. Smoking shall not be allowed within the cemetery, nor any fireworks discharged therein.

22. No dogs shall be admitted into the cemetery, and any found there shall be liable to be destroyed.

23. No person shall remove any plant, tree, shrub, flower (other than withered flowers which are to be placed in the receptacles provided by the trustees for same) or any article from any grave without first obtaining a permit from the trustees or their representatives.

24. No person shall pluck any tree, plant, shrub or flower growing in any portion of the cemetery.

25. No person shall remove or carry out of, or attempt to carry out of the cemetery any tree, plant, shrub, flower, earth, or any other material without the written authority of the trustees or their representatives.

26. No person shall promote or advertise, or carry on within the cemetery any trade, business or calling, either by solicitation, distribution of circulars, by cards or otherwise, or by any other system of advertisement whatsoever, without the written consent of the trustees, and any person infringing this by-law shall be expelled from the cemetery.

27. No person employed by or under the trustees shall be permitted to accept any gratuity whatever, nor shall he be pecuniarily interested in any work in the cemetery, other than the remuneration he receives from the trustees, except by written permission of the trustees, and any such person proved guilty of accepting any gratuity, or being pecuniarily interested in any such work without such permission shall be liable to summary dismissal.

28. Any person desiring to place or erect, or to alter or to add to any monument, tombstone, or enclosure in any part of the cemetery must first obtain the written consent and approval of the trustees and otherwise comply with section 23 of the Cemeteries Act, 1897-1946.

29. Every tombstone, monument or enclosure shall be placed on proper substantial foundations, which if required by the trustees shall extend to the bottom of the grave.

30. The materials used in every such erection shall be subject to the approval of the superintendent or other officer appointed by the trustees, and any material rejected shall be immediately removed from the cemetery by the contractor for the erection. All refuse and other rubbish remaining after any work is completed shall be immediately removed from the cemetery by the person causing the same.

31. Should any work by masons or others be not completed before a Sunday, they shall be required to leave the work in a neat and safe condition, to the satisfaction of the superintendent.

32. All material required in the erection and completion of any work shall, as far as possible, be prepared before being taken to the cemetery, and all materials required by tradesmen shall be admitted at such entrance as the superintendent shall direct, and no vehicle conveying any such materials with wheels less than four inches broad shall be permitted to enter the cemetery. No sand, earth or other materials shall be taken from any part of the cemetery for use in the erection of any monument or work, except with the written approval of the trustees.

33. No catacomb shall be allowed.

34. Monumental masons shall not be permitted to carry on work within the cemetery during other than the hours specified for the opening and closing

of the gates on week days, Saturday and Sunday excepted, when no work is to be done from noon Saturday to the opening of the gates on the Monday morning, without the written permission of the trustees.

35. No trees, or shrubs shall be planted on any grave except such as shall be approved by the superintendent.

36. All workmen, whether employed by the trustees or by any other person, shall at all times whilst within the boundaries of the cemetery, be subject to the supervision of the superintendent, and shall obey such directions as that officer may find it necessary to give; and any workmen committing any breach of these regulations and by-laws, or refusing or neglecting to comply with any directions of the said superintendent, shall be removed from the cemetery.

37. Licenses for grave dressing or decorating may be issued by the trustees, such licenses to be renewed annually in the month of July.

38. Any person taking part in the dressing or attending to any grave shall comply with the following rules:—

(a) No rubbish, soil, sand, or other materials removed in dressing a grave shall be placed on any other grave, and if placed on any adjoining ground shall be removed immediately the work is completed.

(b) No sand, soil, or any other materials shall be taken from any portion of the cemetery, for the purpose of dressing any grave, except with the permission of the superintendent.

(c) The dressing of all graves and the wheeling and carting of any materials shall be subject to the supervision of the superintendent.

(d) Work in all cases to be carried on with due dispatch, and only during regulation hours.

39. The trustees may decorate graves from time to time when desired by the grantee so to do. If the grantees do not desire the trustees to carry out this work, the grantees may either do it themselves or employ any person licensed by the trustees for that purpose.

40. No person, except the relatives of the deceased, the trustees, or those licensed by the trustees, shall be permitted to decorate any grave.

41. If for the purpose of re-opening a grave the trustees find it necessary to remove edging tiles, plants, shrubs, etc., from off the grave, the person so ordering the re-opening shall pay to the trustees the charges laid down in Schedule A hereto.

42. Notwithstanding anything contained in the existing by-laws to the contrary, permission may be granted to the Defence Department of the Commonwealth, to erect headstones on the graves of deceased soldiers without the payment of any fee.

43. Free ground may be granted if it is proved to the satisfaction of the trustees—

(a) that the deceased was a returned soldier, and that he died as result of injuries received in war; and

(b) that the relatives of the deceased are in necessitous circumstances:

Provided that such grant shall be made, subject to the condition that only the remains of deceased soldiers shall be interred in the grave.

44. A plan of the cemetery showing the distribution of the land, compartments, sections, situation, and number of grave, and a register of all certificates of "Rights of Burial" shall be kept at the office.

45. Any person violating the rule of property and decorum, or committing any nuisance or trespass, or injuring any tree, shrub, flower, border, grave, or any erection, or in any way infringing these by-laws, shall be expelled from the cemetery.

46. Any person committing any breach of any by-law or regulation, or of any other rules, regulations, or by-laws lawfully made under the authority of any Act relating to cemeteries, shall, for every such offence, be liable to a penalty not exceeding five pounds (£5) and in case of a continuing breach a further sum not exceeding one pound (£1) for every day during which such breach continues.

47. Any person committing a breach of any by-law in the cemetery shall, in addition to being liable to a penalty under any by-law, be liable to be forthwith removed from the cemetery by the trustees or by the superintendent or other employee of the trustees, or by any police constable. If such person resists removal, or if, and as often as such person is so removed, shall, unless with the consent of the trustees or superintendent, again enter the cemetery within 24 hours of his removal therefrom, he shall be liable to a penalty not exceeding five pounds (£5).

The foregoing by-laws, with the accompanying schedules, were duly framed and presented to a meeting of the Board of Trustees of the Ravenshorpe Public Cemetery held at Ravenshorpe on the eighteenth (18th) day of November, 1954, and adopted.

L. C. PRICE,
Chairman.

D. N. MARSH,
Secretary.

Schedule A.

Ravenshorpe Public Cemetery.

Scale of Fees and Charges Payable to the Trustees.

(1) On application for an "Order for Burial" the following fees shall be payable in advance:—

	£	s.	d.
(a) In Open Ground—			
For interment of any adult in grave 6ft. deep	6	15	0
For interment of any child under 7 years of age in grave 4ft. 6in. deep	3	0	0
For the interment of any still-born child in ground set apart for such purpose	1	15	0
(b) In Private Ground, including the issue of a grant of "Right of Burial"—			
Ordinary land, 8ft. x 4ft., where directed	1	15	0

	£	s.	d.
Ordinary land for grave 8ft. x 8ft., where directed	3	5	0
Ordinary land for grave (extra) 8ft. x 2ft., where directed		10	0
For interment of any adult in grave 6ft. deep	6	15	0
For interment of any child under the age of 7 years in grave 4ft. 6in. deep	3	0	0
If graves are required to be sunk deeper than 6ft., the following additional charges shall be payable:			
For first additional foot		15	0
For second additional foot	1	0	0
For third additional foot	1	5	0
And so on in proportion for each additional foot.			
(c) Re-opening of an Ordinary Grave—			
For each interment of an adult	6	15	0
For each interment of a child under 7 years of age	3	0	0
Each interment of a stillborn child	1	15	0
(d) Re-opening of a Brick Grave	6	15	0
(e) Re-opening of a Vault—according to work required, from	5	0	0
(f) Extra Charges—			
For each interment in open ground without due notice under by-law 5		10	0
For each interment in private ground without due notice under by-law 5	1	1	0
For each interment, not in usual hours as prescribed in by-law 15		10	6
For late arrival at cemetery gates of funeral, as per by-law 16		10	6
For late moving off from entrance gates of funeral as per by-law 17		10	6
For each interment on a Saturday	1	0	0
Extra for exhumation	2	0	0
Re-opening grave for exhumation—			
Adult	6	15	0
Child under 7 years	3	0	0
Re-interment in new grave after exhumation—			
Adult	6	15	0
Child under 7 years	3	0	0
(2) Miscellaneous—			
For use of iron number plate or label on any type of grave	10	0	
For making a search in register	1	0	
For copy of by-laws and regulation	2	6	
For copy of "Grant of Right of Burial"	1	0	

Schedule B.

Application No.....
 Ravensthorpe Public Cemetery.
 Form of Instruction for Grave and Application
 for Burial.
 Answers to the following questions to be supplied
 at the time of making declaration.
 Date of application.....
 Name of Deceased.....
 Age of deceased..... Date when death
 occurred..... Birth place if known

Late place of residence of deceased.....
 Place where death occurred.....
 Cause of death.....

Particulars of Grave.

Denomination ground.....
 Grave No. on plans.....
 Public or private grave.....
 Is grant required..... If so, to.....
of.....
 Has grant been issued previously.....
 If so to.....
 Dates and numbers of previous interments in grave
 if any and depth of this interment.....
 Date and time of interment..... at..... a.m./
 p.m.
 Place from where funeral is to start.....
 Name of undertaker.....
 Name of Minister officiating.....
 Names in full and signature of person making
 declaration.....
 Occupation.....
 Address.....

This application received this.....day of
, 19..... at..... o'clock
m.

.....
 Secretary.

References Order No..... Rec. No.....
 Grant No..... Number in Register of Burials

I, the undersigned, certify that a coffin purport-
 ing to contain the above remains, was interred in
 the above ground on the.....day of.....,
 19....., at.....m.

Schedule C.

No.....
 No. of Application.....
 No. of Receipt.....
 No. in Burial Register.....

Ravensthorpe Public Cemetery.
 GRANT OF RIGHT OF BURIAL.

By virtue of the Cemeteries Act, 1897, the Trus-
 tees of the Ravensthorpe Public Cemetery, in con-
 sideration of the sum of.....
 paid to them by.....

hereinafter called the Grantee, of....., hereby grant to the said Grantee the right of burying bodies in that piece of ground 8ft. long byft. broad, lying within the portion of the said cemetery appropriated for the burial of adherents to the.....Church, and numberedSection..... on the plans of the cemetery made in pursuance of the said Act.

To hold the same to the said Grantee for the period of fifty years from the date hereof, for the purpose of burial only.

This Grant is issued subject to all by-laws and regulations now and hereafter in force, made, or to be made under the above Act, or any future Act or Acts.

In witness whereof the Common Seal of the said Trustees was hereto affixed at a meeting of the aforesaid trustees held on the.....day of, 19.....

On behalf of the Trustees of the Ravensthorpe Public Cemetery.

.....
(Chairman.)

.....
(Secretary.)

Entered.....

This Grant must be produced before the grave can be re-opened.



