



Borough of Douglas.

ORDERS, BY-LAWS,
RULES, AND
REGULATIONS,

FRAMED AND MADE BY THE

MAYOR, ALDERMEN, AND BURGESSES
OF THE BOROUGH OF DOUGLAS,

AND

CONFIRMED BY THE TYNWALD COURT, ON THE
13TH DAY OF JULY, 1897

FOR THE REGULATION OF ALL MATTERS CONNECTED WITH THE GOOD ORDER
OF THE

BOROUGH CEMETERY,

AND THE USE OF THE RIGHTS OF INTERMENTS THEREIN.

1897.

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ORDERS, BY-LAWS, RULES, AND REGULATIONS

Framed and made by the MAYOR, ALDERMEN, and BURGESSES of DOUGLAS, and Confirmed by the TYNWALD COURT, in pursuance of the 27th Section of an ACT of TYNWALD promulgated on the 7th day of January, 1896, intituled, THE DOUGLAS CEMETERY ACT, 1895.

INTERPRETATION OF TERMS.

1. In the construction of these By-Laws and Regulations the following words shall have the meanings hereinafter respectively assigned to them unless such meanings be repugnant to or are inconsistent with the context or subject matter in which such words occur, that is to say :

“Corporation” shall mean the body Corporate constituted by the Douglas Municipal Corporation Act, 1895.

“Registrar” shall mean the Town Clerk for the time being of the Borough of Douglas.

“Curator” shall mean the person appointed by the Corporation from time to time to take charge of the Cemetery.

"Qualified Medical Practitioner" shall mean any person qualified as such under the provisions of the Local Government Acts, 1886 to 1895.

"Cemetery" shall mean the Borough Cemetery established under the authority of the Douglas Cemetery Act, 1895.

"Grave" shall mean a burial place formed in the ground by excavation, and without any internal wall.

"Grave-space" shall mean the ground in which a Vault or any kind of Grave is made, or is intended to be made.

"Common Grave" shall mean a Grave which has not been purchased and in which persons of different families are or may be interred.

"Walled Grave" or "Bricked Grave" shall mean a burial place formed in the ground by excavation, and with an internal wall of brick or stone work only not exceeding $4\frac{1}{2}$ inches in thickness, and not intended to be a Vault as hereinafter defined.

"Vault" shall mean underground burial places of every description except graves to which the word "Grave" or "Walled Grave" or "Bricked Grave" interpreted as aforesaid apply.

"Town Hall" shall mean the Town Hall under the Douglas Municipal Corporation Act, 1895.

PLANS OF THE CEMETERY GROUND.

2. A Plan on which the plots shall be marked by numbers showing the whole of the Grave spaces and their respective classes and divisions shall be kept at the office of the Registrar at the Town Hall, and at the office of the Curator at the Cemetery, and be open to inspection on any working day, free of charge, by all persons making application for Grave spaces.

NOTICES OF INTERMENT.

3. All notices of any intended interment shall be given at the office of the Registrar, at the Town Hall, on forms provided for the purpose between the hours of ten o'clock in the forenoon (Good Friday, Christmas Day, and Sundays excepted) at least forty-eight hours preceding the proposed interment so as to

allow reasonable time for the preparation of the Grave, or otherwise an extra charge for digging shall be paid, such additional charge not to exceed one-third of the regular cost, but when Vaults are required, then three days notice in every case, exclusive of Sunday, shall be given. Provided always that this regulation shall not apply in cases of emergency or to cases of death from epidemic or endemic disease, or other interment required immediately upon a Coroner's Certificate, or the Certificate of a duly qualified Medical Practitioner, then and in such cases the notice required shall be within the discretion of the Registrar acting under the directions of the Corporation.

PARTICULARS REQUIRED.

4. The notice of interment to be given shall be in the form provided by the Corporation, and must contain a statement of the Christian Name and Surname, occupation or description, age, time and place of death, and place of residence of the person to be buried; the day and hour of the intended Burial; the number of the Grave space on plan, and whether purchased or not purchased. In the case of a purchased Vault the consent in writing of the owner to the interment must be produced and given to the Registrar. The proof of ownership to be in the discretion of the Corporation.

OFFICIATING MINISTER.

5. Persons making arrangements for interments at the Cemetery may appoint their own Minister to officiate at such interment, but notice of the appointment must be given to the Registrar at least twenty-four hours before the time of interment.

INTERMENT ORDER.

6. No interment shall take place without an order duly issued by the Registrar, and any such order authorising an interment shall be produced and given to the Curator when the Funeral enters the Cemetery Ground. It shall be the duty of the Registrar to issue such order on being satisfied that all notices and particulars herein contained have been complied with.

TIME OF INTERMENT.

7. No interment shall take place before ten o'clock in the morning nor after four o'clock in the afternoon, except in cases of emergency, and in such cases the hours of interment shall be subject to special permission being obtained from the Registrar acting under the directions of the Corporation.

CONTAGIOUS, &c., DISEASES.

8. In all certified cases of contagious or infectious diseases where immediate burial may be necessary the Registrar shall have full power and authority to make all necessary arrangements for speedy interment.

PUNCTUALITY.

9. The time named for a Funeral is that at which the procession is to be at the Cemetery; any Funeral not arriving at the time appointed must then wait its turn.

CERTIFICATE OF DEATH REQUIRED.

10. The Registrar of Deaths' Certificate, or in case where an inquest has been held, the Coroner's Certificate, of the death of the person to be buried must be given to the Curator when the Funeral enters the Cemetery.

CERTIFICATE—STILL-BORN CHILDREN.

11. Before the burial of a still-born child, the requisite Medical or other Certificate must be delivered to the Registrar or to the Curator.

PAYMENT OF FEES AND CHARGES.

12. All Fees and Charges, whether in case of common interment or on purchase, due to the Corporation (with the exception of those for turfing graves and interments of still-born children, which must be paid to the Curator at the Cemetery), are to be paid to the Registrar at his office at the Town Hall, for which he will give a receipt on the form provided by the Corporation. The Fees and Charges on any interment are to be paid at the time of giving notice or before the notice is accepted, otherwise the interment will not be permitted; and all other Fees before the work in respect of which they are payable is begun; but the Corporation will not be responsible for any Fees except those received by and for itself, and no payment of money will be received at the Cemetery except as aforesaid.

GRAVE SPACES NOT TO BE WITHIN OR NEAR BUILDINGS.

13. No interment shall be allowed either in the Mortuary Chapel or within twelve feet of the walls thereof, or within the like distance from the Curator's Lodge or other buildings, or within the distance of three feet from the boundary wall.

SELECTION OF GRAVE SPACE.

14. The selection of any Grave space or spaces for purchase for exclusive right of burial shall be subject to the approval of the Corporation, and be consistent with the plan of the ground, but the wishes of applicants will in all cases be met so far as may be deemed practicable.

SELECTION OF UNPURCHASED GRAVE SPACE.

15. The sites of interments in unpurchased Graves will be selected by the Curator, subject to the approval of the Corporation, but the wishes of applicants will be met so far as may be deemed practicable.

ORDER OF INTERMENTS.

16. With the exception of purchased Grave spaces, interments shall take place in each division of the ground in point of order consecutively, if the nature of the soil will permit, until the whole area of the burial ground devoted to interments shall have been buried in or appropriated, except it shall be otherwise ordered by the Corporation.

REGISTER OF GRAVES.

17. The Registrar shall keep a register of the Grave spaces in all cases, both of general interment and of purchase, in which the name and age of the person buried and the date of burial in each case shall be duly entered.

DISTINGUISHING OF GRAVES.

18. The area to be used for Graves shall be divided into suitable Grave spaces, to be designated by convenient marks, so that the position may be readily determined, and a corresponding plan of each kept, on which each Grave space shall be clearly shewn and numbered.

SIZE OF GRAVE SPACE.

19. The Grave space set apart for each adult interred shall be eight feet long and four feet wide.

DEPTH OF GRAVES.

20. Every Grave for first interments shall extend to the depth of at least six feet, but not exceeding eight feet, from the surface, and subject hereto the depth shall be at the option of the person at whose instance any grave shall be excavated. In all subsequent cases of Interment the soil shall be excavated to such a depth that the top of a coffin shall not be nearer the surface than three feet, measuring from the level of the ground.

DEEP COMMON GRAVES.

21. The Corporation reserve the right to make deep common Graves, and to inter several bodies therein, should the Corporation deem it necessary or desirable.

REGISTER OF DEATH OF GRAVES.

22. The depth of every Grave shall be recorded by the Curator in the Register of Graves.

CONSTRUCTION OF VAULTS.

23. Every person who, in any part of the Cemetery, causes a Vault to be built for use as a burial place, shall cause the Vault to be enclosed with walls constructed of good bricks, stone, or other hard and suitable material, properly bonded and solidly put together.

EXCAVATING BRICK GRAVES AND VAULTS.

24. In the case of brick Graves and Vaults, the cost of excavating the ground and removing the soil shall be defrayed by the purchaser, in addition to the fees for purchase; and all brick Graves shall be excavated and made and repaired at the expense of the persons requiring the same.

OPENING OF VAULTS AND BRICK GRAVES.

25. Vaults or brick Graves shall be opened from the top, unless the ground required for entrance thereto shall have been purchased; and all walls and arches of Vaults shall be at least nine inches thick. In all cases of Vaults or brick Graves there shall be not less than eighteen inches between the top of the bricked Grave or Vault and the ordinary surface of the ground.

TURPING GRAVES, &C.

26. Every person who, in any part of the Cemetery, buries a body in a Grave, in respect of which an exclusive right of burial has been granted by the Corporation, shall, as soon as conveniently may be after the lapse of such a period as may reasonably suffice for the natural subsidence of the earth with which the Grave has been filled up, cause the surface of the Grave to be covered with fresh turf, or with any gravestone or monument, which, in pursuance of any certificate of approval by the Corporation, may lawfully be erected, or placed on the Grave, or shall cause the surface of the Grave to be planted with shrubs, or with other suitable vegetation.

COVERING COFFINS.

27. Every person who, in any part of the Cemetery, buries a body in a vault or walled Grave, shall within a period of twenty-four hours after the deposit in the vault or walled Grave of the coffin containing the body, cause the coffin to be wholly covered with slate or slate flagging not less than two inches in thickness, properly pointed in cement.

REMOVAL OF COFFINS.

28. No coffin shall be removed after Interment without the consent of the Corporation in writing being first had and obtained.

RE-BURIALS.

29. When an unwalled Grave shall be re-opened a layer of earth not less than one foot thick shall be left undisturbed above the previously buried coffin. If, on re-opening any Grave, the soil be found offensive, such soil shall not be disturbed, and in no case shall human remains be removed from the Grave.

THICKNESS OF BRICKWORK GRAVES.

30. The brickwork of sides and arch of every Grave shall be four and a half inches thick, with a sufficient covering stone; and if more than one coffin wide, the centre wall, if built in mortar, shall be at least nine inches thick, or in cement at least four and a half inches, which may be carried up as interments take place.

OUTSIDE WALLS—BRICK GRAVES

31. In brick Graves the brick work of outside walls shall be carried up to within three feet of the surface of the ground as each interment takes place.

CONVEYANCE OF MATERIALS.

32. All Grave Stones, Monuments, and Materials shall be conveyed into the Cemetery Grounds by hand or on trucks or in carts with wheels of not less than $3\frac{1}{2}$ -inch tyre, and any damage or injury done to the ground and walks thereby shall be made good by the party causing the same.

LOADING OR UNLOADING MATERIAL.

33. No cart or truck with stone, brick, or other materials, shall be allowed to remain within the Cemetery longer than reasonably necessary for loading or unloading, nor on any account be turned off the main roads nor on to the grass.

CONTROL OF CORPORATION.

34. All graves will be excavated, opened, and filled up or covered over with soil by the Corporation. All workmen employed by the Owner of any Grave or Vault, or of any person having the right to erect or fix any Monument or Memorial, shall perform their work strictly and entirely under the direction of the Curator, and shall, at the cost of such Owner, fill up and level such ground, and remove all rubbish and materials, and make good all injury which in the progress of the works may be done to any adjacent Vault or Grave, or to any tomb or Memorial Stone, or to any portion of the property of the Corporation.

PRESERVATION OF GRASS AND ROADS.

35. Mats, boards, or canvas are to be used, as the Curator may direct, to preserve the grass or roads from injury by any work.

ERECTION OF MONUMENTS.

36. No grave stone or monument shall be erected except over vaults or graves in which the exclusive right of burial is purchased.

APPROVAL OF MONUMENTS, &c.

37. Owners of exclusive rights of burial may place grave stones, kerb stones, monuments, railings, memorials, and inscriptions over graves upon payment of any fees prescribed by the Corporation in respect thereof, and all grave stones, kerb stones, monuments, railings, memorials, and inscriptions shall be subject to the approval of the Corporation, and a certificate of such approval shall be obtained before any grave stone, kerb stone, monument, railing, memorial, or inscription can be fixed or erected or used in any part of the Cemetery. Application for the right of placing monuments, memorials, grave stones, or railings shall be made at the office of the Registrar at the Town Hall, on forms provided for the purpose.

MARBLE OR STONE MONUMENTS.

38. All grave stones and monuments shall be of marble or stone, slate, or other material approved by the Corporation; the minimum thickness of headstones to be three inches.

MATERIALS, &c., TO BE APPROVED.

39. All brickwork foundations for monuments, headstones, and the re-fixing same at removal, and the quality of the materials, shall be subject to the approval of the Corporation, or the Curator of the Cemetery.

DEPOSIT ON ERECTION OF MONUMENTS.

40. If required by the Registrar a deposit of ten shillings shall be made with the Curator at the Cemetery by all masons and others before admission into the Cemetery, which shall be repaid to them upon clearing off all dirt and rubbish, and re-instating the turf damaged, or other injury done by them or their workmen; or, in their default, will be applied towards such purpose so far as it will extend, they being liable for any deficiency; and the decision of the Curator shall be final and binding on the parties.

REPAIR OF MONUMENTS.

41. All monuments, tombs, tablets, memorials, grave stones, kerbing and palisades shall be kept in repair by the owners except a special agreement be made with the Corporation, and if not repaired after due notice may be removed by order of the Corporation. If no such owner or his or her representative can be

found, to whom notice can be given then after advertisement for four successive weeks in one local newspaper, the right to such tomb, &c., shall revert to the Corporation to be dealt with as they shall deem fit.

ERECTION OF MONUMENTS, &c.

42. No hewing or dressing of stones will be permitted within the Cemetery walls; and all materials for Vaults, Graves, Monuments, and Memorials shall be conveyed into the Cemetery by hand, or in such manner, under the direction of the Curator, as will avoid the cutting up of the grounds or walks, and all refuse, soil, or rubbish, and materials shall be removed in like manner.

SURPLUS SOIL, &c.

43. The surplus soil excavated from any Grave or Vault shall be deposited on such a part of the Cemetery as the Curator may point out or direct.

PLANTS AND FLOWERS.

44. Shrubs, plants, or flowers may, subject to the approval of the Curator, be placed over any grave, but must not be cut or carried away without the consent of the Corporation or the Curator being first obtained, and the Corporation reserves the right to prune, cut down, dig up or remove any of the shrubs, plants, or flowers at any time when in their opinion the same may become unsightly or overgrown, or when necessary for the purpose of allowing the Grave to be used again.

ENCLOSURES.

45. The area of a space occupied by a coffin within a Grave space purchased, on which no monument is erected, may be enclosed with stone not exceeding twelve inches in height, or iron railings not exceeding twenty inches in height.

HEADSTONES OVER UNPURCHASED GRAVES.

46. No brick work or stone work, nor any fixed memorial or monument other than footstone or kerbing, or a wooden or metal cross, will be allowed on or above any Grave or Vault the exclusive right of burial in which has not been purchased, and any footstone erected over an unpurchased Grave may be removed by direction of the Corporation after it has been up fourteen years; or if it be over a child's Grave, after it has been

up eight years; and over any deep common Grave made as aforesaid, no memorial or footstone or kerbing whatever shall be erected or placed except with the special permission of the Corporation being previously obtained.

SIZE AND MATERIALS OF MONUMENTS.

47. All monuments or memorials in the Mortuary Chapel must be such as will accord with the architectural features of the buildings.

NUMBER OF GRAVE ON HEADSTONE, &c.

48. The Corporation reserve to themselves the right of placing and continuing upon any tomb, monument, or stone over a grave, their private mark of reference to every vault or grave, which shall be at the back of the tomb, monument, or stone, and shall not be removable by the owner.

BURIAL OF NON-RESIDENTS.

49. Extra Fees will be charged in respect of all persons dying out of the limits of the Borough of Douglas, and not being residents, occupiers, or ratepayers of the Borough at the time of their decease, and no such persons shall be buried in unpurchased Graves. But if any persons who have by purchase the right of burial in the Cemetery afterwards cease to be ratepayers or occupiers of, and go to reside without the boundary of, the Borough, they shall be exempt from such extra fees.

REGISTER OF BURIALS.

50. A Register of all Burials shall be kept by the Registrar at his office, where, between the hours of ten a.m. and four p.m. on any working day, searches may be made upon payment of the fee of 1s. for every search for a time not exceeding an hour; and certified extracts obtained.

NEATNESS AND ORDER.

51. The grave spaces, monuments, roads, paths, buildings, and the whole surface of the Cemetery, shall be kept in a proper state of neatness. Nothing offensive to public decency shall be permitted within the ground.

TIME OF OPENING AND CLOSING CEMETERY.

52. The Cemetery will be open to the public subject to such restrictions as the Corporation may from time to time approve from eight o'clock in the morning throughout the year until sunset.

ADMISSION OF CHILDREN.

53. Children under twelve years of age shall not be admitted to the Cemetery, except under care of some responsible person.

DECORUM.

54. All visitors will be required to keep to the walks, unless when visiting any graves, and shall refrain from touching the shrubs and flowers, and to observe perfect decorum in all respects.

PUBLIC ADDRESSES.

55. A person shall not, unless actually taking part in any funeral in the Cemetery, deliver any public address in any part of the Cemetery.

RIOTOUS CONDUCT, &c

56. Any person who shall be found inebriated in the Cemetery, or conducting himself in a noisy, riotous, or disorderly manner shall be forthwith expelled from the Cemetery, and the Curator shall have full power and authority for that purpose.

INTERRUPTION OF FUNERALS.

57. No person shall, in any part of the Cemetery, by any violent or indecent behaviour, prevent, interrupt, or delay the decent, orderly, or solemn burial of any body.

BIRD'S NESTING, &c.

58. No person shall, in any part of the Cemetery, seek for, take, or destroy any bird's nest or bird's egg, or snare, take, destroy, injure, or molest any bird.

CLIMBING.

59. No person shall climb upon or over any tree, grave stone, head stone, tomb stone, monument, gate, wall, fence, palisade, or building within or belonging to the Cemetery.

DISFIGUREMENT.

60. No person shall soil, defile, or disfigure any wall or fence within or belonging to the Cemetery.

REFUSE.

61. No person shall throw in the Cemetery any waste paper or orange peel, or refuse of any kind; but shall deposit the same in receptacles provided for that purpose.

OFFENSIVE SMELLS.

62. In the event of any offensive smell issuing from any Corpse brought to the Cemetery for interment, or for any other sufficient cause, it shall be in the power of the Curator officiating for the time being to order that the Corpse shall not be brought within the door of the Mortuary Chapel.

GRATUITIES.

63. No gratuity shall be given to any officer or servant of the Corporation, and any infringement of this regulation will subject such officer or servant to immediate dismissal.

CARRIAGES AND HORSES.

64. No person unless duly authorised by the Corporation or by any by-law in that behalf shall ride, drive, lead, or bring into the Cemetery any Horse or Carriage not forming part of or in connection with a funeral procession.

ROADWAYS SET APART FOR VEHICULAR TRAFFIC.

65. No person shall ride, drive, lead, or bring any Horse or Carriage forming part of or in connection with a funeral procession to any place further within the Cemetery than the Mortuary Chapel, except on the roadways specially set apart for that purpose.

VEHICLES AND ANIMALS.

66. No vehicle drawn by a horse or horses, or otherwise shall be driven, drawn, or otherwise propelled, within the Cemetery at a speed quicker than the walking pace of a horse, and no animal within the Cemetery shall be left under any pretence whatever without a competent person in charge, and every driver or person in charge of any such vehicle or animal shall obey the directions of the Registrar or Curator while within the Cemetery, and shall not be guilty of disorderly conduct in act or language therein, or in the immediate vicinity thereof.

BATH CHAIRS, &c.

67. Bath chairs, invalid chairs, and perambulators will be admitted into the Cemetery.

ADMISSION OF DOGS, &c.

68. No dogs (unless such dogs are led by leash or carried in the arms) or other animals, except horses accompanying funerals, or conveying materials, will be allowed to enter the Cemetery.

PENALTY FOR INJURING OR DEFACING PROPERTY, &c.

69. Every person who shall wilfully destroy or injure any building, wall, or fence belonging to the Cemetery, or destroy or injure any tree, plant, or flower therein; or shall daub, mark, or disfigure any wall thereof, or put up any bill therein or on any wall thereof, or destroy, injure, or deface any monument, tablet, inscription, gravestone, or headstone, or memorial within the Cemetery, or do any other wilful damage therein, or play at any game or sport, or discharge any firearms (except with the permission of the Corporation at a military funeral) in the Cemetery, or wilfully and unlawfully disturb any persons assembled there for the purpose of burying any body therein, or commit any nuisance within the Cemetery, shall be liable, at the suit of the Corporation, to forfeit, for every such offence, a sum not exceeding Five Pounds.

PENALTY.

70. Every person who shall offend against any of the foregoing By-Laws and Regulations, shall be liable, at the suit of the Corporation, for every such offence to a penalty not exceeding five pounds, and in the case of a continuing offence to a further penalty of ten shillings for each day after written notice of the offence from the Corporation.

The Corporate Common Seal of the Borough
of Douglas was hereunto affixed this
Eighteenth day of June, 1897, in pursu-
ance of a resolution of the Corporation.

S. WEBB,

DEPUTY-MAYOR.

THOMAS H. NESBITT,

TOWN CLERK.



