

Further powers.

4. The Secretary for Mines may direct all such further acts and measures to be done and taken as in his judgment are necessary and proper for the purpose of extinguishing such fire or checking its spread, or safeguarding life or property in or in connection with the mines affected or likely to be affected by the disaster, or for rendering such mines safe for further working.

All expenses incurred by the Secretary for Mines in pursuance of the foregoing powers shall be deemed to be expenses lawfully incurred under this Act, and shall be apportioned accordingly.

Apportionment of expenditure.

5. All expenses lawfully incurred under this Act shall be contributed and paid by the mining companies and mine-owners of the mines affected by the disaster or threatened so to be according to such apportionment amongst themselves as the Secretary for Mines after due inquiry may think just and shall order in writing, and his order shall be final and binding upon all the companies and persons concerned, and every sum so apportioned may be recovered by him by action in any court of competent jurisdiction.

Delegation of powers.

6. The Secretary for Mines may delegate to the Committee all or any of the powers conferred upon him by this Act.

Act not to affect claims in respect of injuries, &c.

7. Nothing in this Act shall be construed so as to affect any liability of any company or person for or on account of the death of or any bodily injury to any person occasioned by or arising out of the aforesaid disaster.

MUNRO'S TRAMWAY.

See RAILWAYS AND TRAMWAYS.

PARKS AND PUBLIC LANDS.

4 Edw. VII.
No. 7.
THE
GRACEMERE
CEMETERY
IMPROVEMENT
ACT OF 1904.

An Act to enable the Trustees of the Rockhampton Cemetery to sell part of the Land vested in them, and to apply the proceeds in improving the Gracemere Cemetery.

[ASSENTED TO 22ND NOVEMBER, 1904.]

Preamble.

WHEREAS by Crown grant No. 51839, dated the twentieth day of July, one thousand eight hundred and eighty-three, certain lands therein described situated

1904.

Gracemere Cemetery Improvement.

in the County of Livingstone, Parish of Rockhampton, and known as the Rockhampton Cemetery, were in pursuance of section six of "*The Crown Lands Alienation Act of 1876*,"* granted to certain trustees upon trust as a site for a general cemetery: And whereas certain of the said trustees have since the date aforesaid become incapable of acting in the said trust, and the Governor in Council has, in pursuance of "*The Trustees of Public Lands Act of 1869*,"† duly nominated other persons in their stead: And whereas Robert Foulkes, Thomas Kelly, John McPherson, John Ferguson, Edward Bennetto Moyle, Stewart Williamson Hartley, William Davis, and Simon Lipstine, are accordingly now seised of the said land upon the trusts specified in the said Crown grant:

And whereas a certain part of the said lands described in the Schedule hereto has been found to be unsuitable for the burial of the dead, and has never been utilised for such purpose: And whereas the remaining part of the said lands will at an early date be no longer available for further burials, and it has become necessary to provide other lands for such purpose:

And whereas by Proclamation dated the twenty-seventh day of January, one thousand eight hundred and ninety-eight, certain lands therein described situated in the County of Livingstone, Parish of Gracemere, and known as the Gracemere Cemetery Reserve, were in pursuance of sections ninety-five, ninety-six, and ninety-seven of "*The Crown Lands Act of 1884*,"‡ permanently reserved for the purpose of a cemetery, and placed under the control and management of the said Robert Foulkes, Thomas Kelly, John McPherson, John Ferguson, Edward Bennetto Moyle, Stewart Williamson Hartley, William Davis, and Simon Lipstine, as trustees: And whereas the said persons still remain trustees of the said land:

And whereas it has become necessary to fence and otherwise improve the said reserve so as to render it available for the burial of the dead, and for such purpose it is expedient that the trustees of the Rockhampton Cemetery should be empowered to sell the lands described in the Schedule hereto, being part of the lands comprised in the said Crown grant, and to devote the proceeds towards the fencing and improvement of the said reserve: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the

40 Vic. No. 15, Cooper's Statutes, page 695. † 33 Vic. No. 2, *supra*, page 1709.

‡ 48 Vic. No. 28, *supra*, page 1137.

Gracemere Cemetery Improvement. 4 Edw. VII. No. 7, 1904.

Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows :—

Short title.

1. This Act may be cited as "*The Gracemere Cemetery Improvement Act of 1904.*"

Trustees of Rockhampton Cemetery empowered to sell part of lands.

2. The trustees for the time being of the lands comprised in Crown Grant No. 51839, situated in the County of Livingstone, Parish of Rockhampton, and known as the Rockhampton Cemetery, are hereby empowered, if the Government Medical Officer of Health so permits, to sell by public auction and, if not so sold after offer at auction, then by private contract the land described in the Schedule to this Act, being part of the said lands :

Provided always that if the same is proposed to be subdivided and sold in lots, or any part thereof is proposed to be dedicated as a lane or road, such subdivision and dedication shall be subject to the provisions of "*The Undue Subdivision of Land Prevention Act of 1885*"* and of "*The Local Authorities Act of 1902*"† so far as the same are applicable thereto.

Appropriation of proceeds.

3. The said trustees shall, after payment of the costs and expenses attending the sale of the said land, devote the proceeds of such sale in and towards the survey, fencing, and otherwise improving and rendering fit for a cemetery the lands in the County of Livingstone, Parish of Gracemere, which have been duly reserved for a cemetery by Proclamation dated the twenty-seventh day of January, one thousand eight hundred and ninety-eight, and are known as the Gracemere Cemetery.

THE SCHEDULE.

COUNTY OF LIVINGSTONE, PARISH OF ROCKHAMPTON.

10 ACRES 0 ROODS 16 PERCHES.

Commencing at a point bearing one hundred and eighty degrees twenty-three minutes thirty seconds and distant one chain from the south-west corner of portion 52, parish of Rockhampton, and bounded thence on the north by Prospect street bearing ninety degrees forty-six minutes thirty seconds six chains; on the east by lines bearing one hundred and eighty degrees twenty-three minutes thirty seconds four chains and thirty-three links, ninety degrees twenty-three minutes thirty seconds one chain, and one hundred and eighty degrees twenty-three minutes thirty seconds ten chains and seventy-one and four-tenths links; on the south by Ferguson street bearing two hundred and seventy degrees thirty-seven minutes seven chains; and on the west by the Upper Dawson road bearing twenty-three minutes thirty seconds fifteen chains and five and seven-tenths links to the point of commencement.

* 49 Vic. No. 15, *supra*, page 2210.

† 2 Edw. VII. No. 19, *supra*, page 8355.