

**CHAPTER 91.****AKU MOHAMMEDAN BURIAL BOARD.**

## ARRANGEMENT OF SECTIONS.

## SECTION.

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 SCHEDULE.
 

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**CHAPTER 91.****AKU MOHAMMEDAN BURIAL BOARD.**

26 of 1931. **An Ordinance to Vest the Aku Mohammedan Cemetery at Fourah Bay in a Burial Board, and to make Provision for its Management and Control as a Cemetery.**

[7TH DECEMBER, 1931.]

**Short title.** 1. This Ordinance may be cited as the *Aku Mohammedan Burial Board Ordinance*.

The *Aku Mohammedan cemetery* to be vested in a *Burial Board*.

2. The portion of land at Fourah Bay commonly known as the *Aku Mohammedan Cemetery* and described in the Schedule is hereby vested in the *Burial Board* to be appointed under this Ordinance, which Board shall be responsible for its management and control as a cemetery.

3. The Board shall consist of six Mohammedans to be appointed by the Governor who shall, when making any such appointment, consult the Imam for the time being of the Fourah Bay Mosque.

Appointment of the Board.

4. The Imam of the Fourah Bay Mosque, if a member of the Board, shall *ex officio* be chairman, but if he be not a member, the Board shall elect a chairman from their own number:

Chairman of the Board.

Provided that if the members of the Board are unable to come to a decision, the chairman shall be nominated by the Governor.

5. Any member of the Board may resign from the board at any time by giving one month's notice in writing of his intention so to do to the chairman.

Resignation from the Board.

6. On the occurrence of a vacancy by death, resignation or otherwise, the chairman shall forthwith report the same to the Governor who shall thereupon make a fresh appointment to fill the vacancy. A vacancy shall be deemed to have occurred if any member of the Board is absent from the Colony for a continuous period of more than twelve calendar months.

Filling of vacancies.

7. The Board shall meet as often as, in the discretion of the chairman, is necessary for the transaction of business.

Meetings of the Board.

8. At all meetings of the Board any number not less than three members of such Board shall be a sufficient number for transacting business and exercising all the powers of the Board.

Quorum at meetings of the Board.

9. The Board may sue and be sued by the name of the Aku Mohammedan Burial Board.

Board may sue and be sued.

10. The Board shall appoint, and may remove at pleasure, a clerk to the Board and may pay such clerk such remuneration as may be reasonable:

Appointment of clerk to the Board.

Provided that such appointment, removal and remuneration shall be subject to the approval of the Chief Registrar of Births and Deaths.

11. The duties of the clerk shall be—

Duties of the clerk.

- (a) to attend all meetings of the Board;
- (b) to be present at all burials taking place in the said cemetery;

(c) to issue burial permits in the manner hereinafter prescribed and to account to the Board for all fees received by him in payment for the said permits;

(d) to execute all lawful orders of the Board;

(e) to execute all orders given by the Health Department with relation to the sanitary condition of the said cemetery;

(f) to keep a Burial Register Book in the manner hereinafter provided.

Conditions under which burials may take place.

**12.** No burial shall take place in the said cemetery unless and until a burial permit has been obtained from the clerk, who is hereby authorised and required to issue such permit upon production of a burial certificate or Coroner's order and upon payment of the appropriate fee.

Burial permit fees.

**13.** (1) A fee of two shillings and sixpence in the case of an adult, and of two shillings in the case of a child under the apparent age of sixteen years, shall be payable for a burial permit; provided that the board may, in any case, remit all or any part of such fee.

(2) The amount received by the Board in fees shall be applied by it in payment of the remuneration of the clerk to the Board, in the repair and upkeep of the said cemetery, and as to the balance, if any, in such manner as the Board in its discretion shall see fit.

Registration of burials.

**14.** (1) The Chief Registrar of Births and Deaths shall, on application, supply the clerk to the Board with a Burial Register Book in which shall be entered, numbered in successive order in each year, the name, sex, place of abode and apparent age of all persons buried in the said cemetery and the day, month and year of such burial.

(2) When each such Burial Register Book is filled up, the clerk to the board shall deliver the same into the custody of the Chief Registrar of Births and Deaths, and thereupon such book shall be deemed to be a Burial Register Book prescribed by the Burials Registration (Freetown) Ordinance, for all the purposes of that Ordinance.

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Default of clerk.

**15.** If the clerk to the burial board wilfully permits any burial to take place in the said cemetery for which a permit has not first been obtained, or wilfully omits to make any entry required by section 14 (1), or wilfully makes or concurs in

making any false entry, he shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding five pounds or to imprisonment, with or without hard labour, for a period not exceeding two months.

16. All burials under this Ordinance shall be conducted in a decent and orderly manner; and every person guilty of any riotous, violent or indecent behaviour at any burial under this Ordinance, or wilfully obstructing such burial or any religious service thereat, shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding fifty pounds or to imprisonment, with or without hard labour, for a period not exceeding six months.

Offences relating to burials.

17. (1) Any person who knowingly attends or takes part in any burial in the said cemetery, for which a burial permit has not been obtained, shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding five pounds, or to imprisonment, with or without hard labour, for a period not exceeding two months.

Failure to apply for burial permit.

(2) Any person who takes part in or attends any such burial as is mentioned in sub-section (1) shall be deemed to have known that no burial permit had been obtained unless he shall satisfy the court to the contrary.

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SCHEDULE.

All that piece or parcel of land situate at Kennedy Street in the City of Freetown bounded on the North by an irregular line forming the boundaries of private properties 503 feet in length, on the South by Crown Land 469 feet in length, on the East by Kennedy Street aforesaid 288 feet in length, and on the West by an irregular line forming the boundaries of private properties 340 feet in length.

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