The Burial Acts: a complete compilation of the Acts of Parliament which have passed the legislature from 1852 to 1857, with an elaborate analysis of the whole. The regulations of the Home Office with regard to the management of burial grounds. A general description of the metropolitan cemeteries, the fees and charges for interments, and other useful, practical, and legal information. Explanatory notes and copious index / by Charles Greene.

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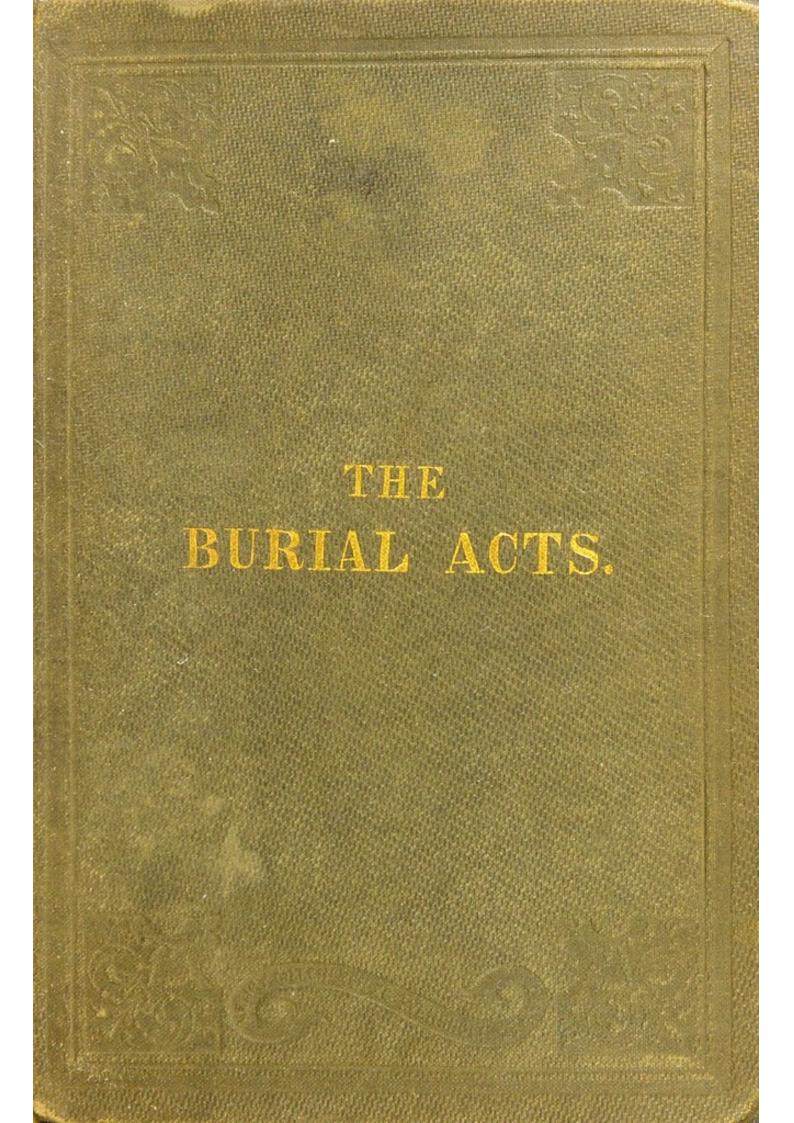
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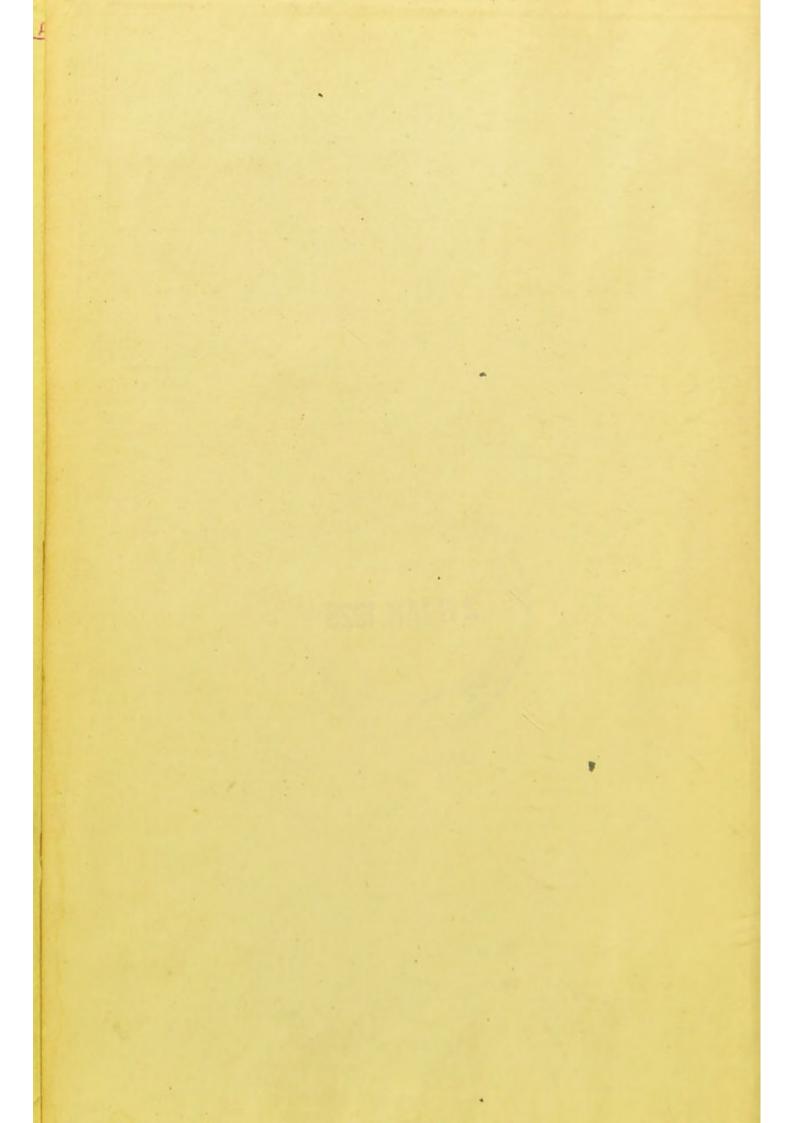


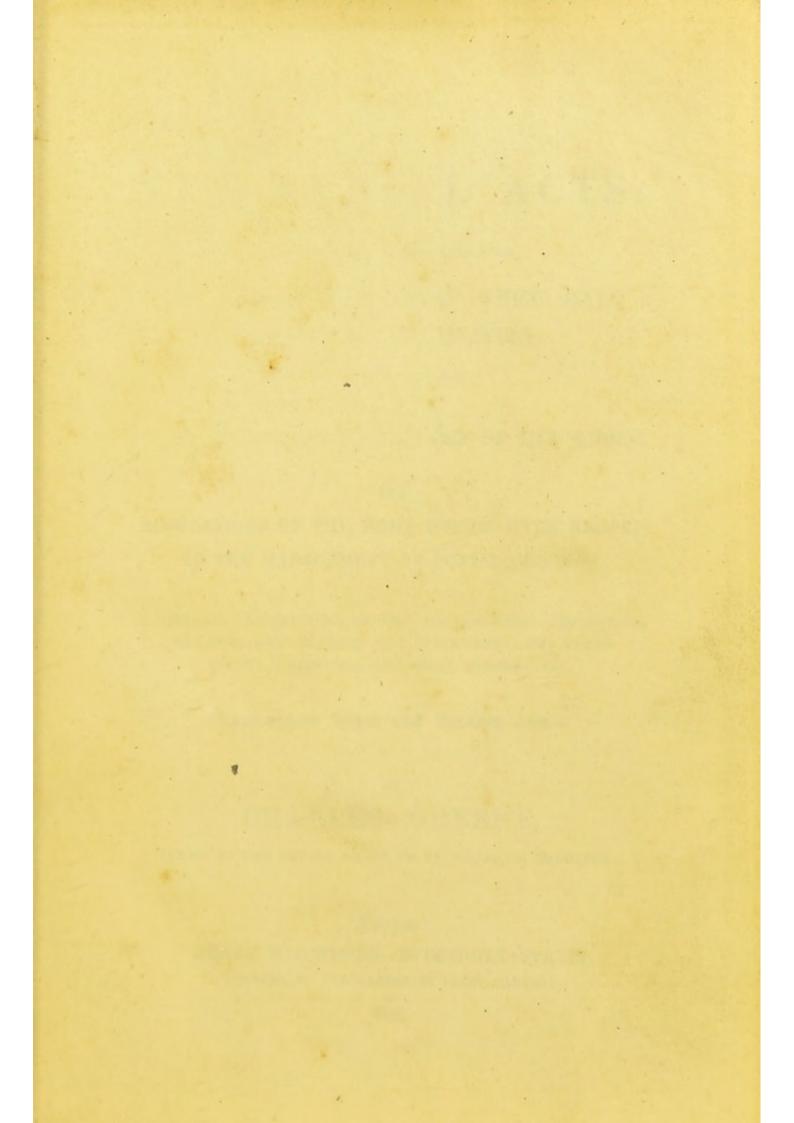
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# THE BURIAL ACTS:

A COMPLETE COMPILATION OF

# THE ACTS OF PARLIAMENT WHICH HAVE PASSED THE LEGISLATURE

FROM 1852 TO 1857,

WITH AN ELABORATE ANALYSIS OF THE WHOLE.

THE

REGULATIONS OF THE HOME OFFICE WITH REGARD
TO THE MANAGEMENT OF BURIAL GROUNDS.

A GENERAL DESCRIPTION OF THE METROPOLITAN CEMETERIES, THE FEES AND CHARGES FOR INTERMENTS, AND OTHER USEFUL, PRACTICAL, AND LEGAL INFORMATION.

Explanatory Notes and Copious Index.

BY

# CHARLES GREENE,

CLERK TO THE BURIAL BOARD OF ST. PANCRAS, MIDDLESEX.

London:

HENRY MITCHENER, EVERSHOLT STREET,
PRINTER TO THE PARISH OF SAINT PANCRAS.

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#### TO THE RIGHT HON. AND RIGHT REVEREND

#### ARCHIBALD CAMPBELL,

#### LORD BISHOP OF LONDON.

#### THIS WORK,

RELATING TO THE LAWS CONCERNING THE BURIAL OF THE DEAD,

AND DESIGNED TO AFFORD INFORMATION TO THE CLERGY

AND OTHERS ON THE ESTABLISHMENT OF

PAROCHIAL CEMETERIES,

IS (BY PERMISSION) DEDICATED,

WITH EVERY SENTIMENT OF PROFOUND RESPECT,

BY

His Lordship's Humble and Faithful Servant,

THE AUTHOR.



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#### INTRODUCTION.

In the present age—the age of sanitary improvement—no subject can exceed in public interest and importance that of the interment of the dead: yet till within the last seven years, notwithstanding the rapid increase of the populations of the Metropolitan districts and those of the cities and towns of the kingdom, little or no attention has been paid to a matter involving not only the protection of public health but the maintenance of public decency.

The ravages of the cholera, however, in the year 1849, and the reports of medical men as to the baneful effects of the practice of interring the dead in the midst of the living, awakened the attention of the Government, and an attempt at legislation was made on the subject.

On the 5th August, 1850, the Royal Assent was given to the 13th and 14th Vic., c. 52, intituled "An Act to make better provision for the Interment of the Dead in and near the Metropolis." This Act was the first attempt on the part of the Government to put an end to those scenes of indecent exposure and desecration, with which the public press was teeming, and with which the eyes and nostrils of the public were continually being offended.

The grand feature of this Act, which also resulted in its great failure to accomplish the objects for which it was intended, was that the General Board of Health was entrusted with its execution. Powers to take, purchase, and hold lands, tenements, and hereditaments, for the purposes of this Act, to appoint officers, provide burial grounds, purchase existing cemeteries, &c., were vested in the General Board of Health for the time being. They had also power to issue regulations for the management of burial grounds and the interment of the dead. In this Act, however, as in all subsequent Acts, an Order in Council was rendered necessary for discontinuing interments in any existing church-yard or burial place.

The above-mentioned Act was found inoperative, chiefly from the centralizing principle upon which it was based, and the incompetency of the General Board of Health to grapple with a question so large and comprehensive, and to deal with conflicting interests, both lay and clerical, connected with the substitution of extra-mural cemeteries for ancient grave-yards, in which so many vested rights existed.

This Act was repealed by the 15th and 16th Vic., c. 85, which, in contradistinction to its predecessor, is based upon the principle of Local Government, and transferred the powers previously possessed by the General Board of Health to Local Burial Boards, elected by the vestries.

The circumstances under which this Act was obtained may not be uninteresting. In the early part of 1852, the urgent necessity of providing additional ground for parochial interments in St. Pancras came under the consideration of the joint committee of the Vestry and Church Trustees of that parish. Pending their sitting, however. deputations from St. Marylebone and St. Paneras waited on the Right Hon. Lord John Russell, then Prime Minister. on the 31st January, 1852, on which occasion Mr. William Durrant Cooper, on behalf of St. Paneras, propounded the general outline of the measure which has since become law: and subsequently, at the request of Sir George Grey, Home Secretary, the same gentleman met Lord Seymour to arrange Lord John Russell's Government resigned without introducing the bill; and the Earl of Derby having taken office, another deputation from St. Pancras, with Mr. Billett, the then churchwarden, Dr. Gregory, and Mr. Cooper, waited on the new Premier (May 4, 1852). The plan was explained to his Lordship, and he undertook that the Government would introduce it. On the 11th of the same month, at the next meeting of the board of directors, the draft of the bill, prepared by Mr. E. R. Cook, barristerat-law, upon the suggestions of Mr. Cooper, was brought forward and approved. Copies were sent to Lord Derby and the Members for the Borough; Lord John Manners gave notice at once of a motion for leave to bring in the Bill.

The bill, in its main features unaltered, having passed

through both Houses, received the Royal Assent on the 1st of July, and was adopted by the parish on the 11th August following. In the meantime, the valuable and important services of the two gentlemen who had been mainly instrumental to the success of the measure were thus gratefully and becomingly acknowledged by the Vestry of St. Pancras, in a resolution bearing date the 30th June, 1853:—

"Resolved unanimously,

"That the thanks of this Vestry are eminently due, and are hereby given, to William Billett, Esq., Churchwarden, and William Durrant Cooper, Esq., for the able and strenuous exertions made by them to obtain for the metropolis the passing of the Metropolitan Burials Bill,—a bill much needed in consequence of the rapidly-increasing population of the parishes in and about London."

The promptness with which most of the leading metropolitan parishes adopted the Burials Act of 1852, and its general approval throughout the country, induced the government, in the following Session, to introduce an Act, 16th and 17th Vict., cap. 134, "To amend the Laws concerning the Burial of the Dead in England beyond the limits of the Metropolis." This Act embodies the principal features of the Metropolitan Act, as well as contains some few improvements as amendments upon that Act.

The 17th and 18th Victoria followed. "An Act to make further provision for the Burial of the Dead in England beyond the Metropolis." The main feature of this Act is recited in its preamble, viz., "That in consequence of the difficulty of providing places of burial under the powers of the preceding Act, where, as in some cases, parishes are wholly or partly within boroughs, it was desirable in such cases that places of burial should be provided by the councils of such boroughs." The same powers as are conferred by preceding Acts are by this Act conferred upon borough councils.

The fourth Act, in reference to interments, was the 18th and 19th Victoria, cap. 79,—passed on the 30th July, 1855. This Act relates solely to the burials of poor persons by guardians, &c., and is an amendment of the previous Act on the subject (7th and 8th Vict., cap. 101,

sect. 31), and was enacted to meet the difficulties arising with reference to the interment of the poor under the provisions of that Act, in consequence of the closing of burial grounds under the preceding Acts, and the want of adequate space in others. It gives powers to guardians of one parish, where a ground may be overcrowded, to make arrangements with the authorities of any adjoining parish, and to enter into agreements with cemetery companies.

The Act, 18th and 19th Vict., cap. 128, purports to be an amendment of the preceding Acts.

From this period no further legislation upon the subject took place till the late Session of Parliament. Two most important measures were then passed. The first relating exclusively to the City of London, and transferring the powers of Metropolitan Vestries and Burial Boards (with respect to the interment of the dead, so far as the city of London and the liberties thereof are concerned) to the Aldermen, Common Council, and Commissioners of Sewers. The other settles the fees to incumbents in a schedule to the Act.

The seventh and latest Act, intituled "An Act to amend the Burial Acts," 20th and 21st Vict., c. 81, is general in its operation, and repeals and amends as well as incorporates some of the provisions of its predecessors, and contains important clauses, having for their object the settlement of the vexatious question of the division of consecrated and unconsecrated grounds; it confers extended powers with respect to the rite of consecration where refused by the bishop of a diocese, and virtually defines the question of fees for interments in consecrated and unconsecrated grounds. It gives power to the Secretary of State to grant a license for the removal of a body from one consecrated ground to another, without the necessity of a "faculty" for such a purpose, and confers a great boon upon the humbler classes of society by the abolition of tolls upon funerals. On the whole, therefore, this last Act may be viewed as a liberal piece of legislation, quite in accordance with the spirit of the times and the age of sanitary improvement in which we live.

Upon the important question of extra-mural sepulture,

there can be no doubt that since the passing of the Metropolis Burials Act of 1852 there has been a great change in public opinion in favour of the adoption of that practice, and in opposition to the old system of intra-mural interments.

It is true that an example was set and a great step made in this direction by the Metropolitan Cemetery Companies in their establishment of beautiful and capacious cemeteries at Highgate and Kensal Green, at Brompton, Nunhead, and at Norwood, at Abney and Victoria Parks, and at Bow, and, though last not least, by the London Necropolis and National Mausoleum Company at Woking.

But it cannot be said that either the metropolitan parishes, or those of provincial districts, have been slow to avail themselves of the powers granted to local authorities under the permission of the various Acts of Parliament before referred to. The great parishes of St. Pancras, Marylebone, and Islington have their capacious extramural cemeteries, with episcopal and dissenting chapels, and their grounds admirably laid out and ornamented at Finchley. The City of London possesses a cemetery of many acres at Little Ilford; Paddington has its neatly constituted cemetery at Willesden; Camberwell, Lambeth, St. George's, Hanover Square, Greenwich, Deptford, St. George's, Southwark, St. Saviour's, Shoreditch, St. Margaret's and St. John's, Westminster, Clapham, Battersea, Putney, Woolwich, Charlton, and other places within the metropolitan area, have vied with each other in a corresponding care for the dead, while some of the smaller districts have made agreements with the Necropolis for a similar purpose.

That there are something like from four to five hundred Burial Boards already established throughout the kingdom, is a sufficient proof that the public are fully alive to sanitary improvement and to the important advantage of extramural sepulture in connection therewith.

As a means of more fully enforcing the necessity and advantage of parochial extra-mural sepulture, I feel that I cannot conclude these remarks without affording to the readers of this little volume the opportunity of perusing for themselves the opinions expressed by the Rev. Canon Dale,

Vicar of St. Pancras, in a few extracts from an Address, delivered by him on the occasion of laying the foundation stone of the Episcopal Chapel of the new cemetery of that parish at Finchley, on the 24th November, 1853. He observes,—

A decent funeral—a parting act and sacrifice of hopeful prayer—a quiet grave on which the sun may shine, fit emblem of that sun which shall never set—contiguity even in death to those from whom in life we were never willingly divided—to rise with those once and still our best beloved, whom we trust to meet at the right hand of the Judge, and to spend with them a bright and blest eternity—these are objects of interest common to mankind, of which no sceptical philosophy can ever deprive the simple-minded Christian; and this natural sympathy our ancestors most touchingly expressed, when they so plentifully garnished their churchyards with what the Poet of Nature terms the "dismal yew;" for if its drooping and melancholy foliage be the fit emblem of abiding grief, what is its perpetual verdure but a symbol of eternal life and the herald of a certain resurrection?

Our own work, then—the work in which we are this day engaged combines in itself all the sanction of ancient usage and all the precedents and patterns of Holy Writ; and what is well worthy of remark, this correspondence extends even to minor details. We shall, in this cemetery, have our unconsecrated as well as our consecrated ground, for so our Nonconformist brethren will it, and we question not their right to do so; and in either portion there will be, of necessity, a distinction even in the tomb: there will be the vaulted catacomb, the marble monument, the sculptured urn, the modest headstone, the cheap and common grave, and the sod undistinguished except by the swelling mound: but was it not thus of old? Did not "the Kings of the nations lie in glory, every one in his own house?" Are we not told that a sorrowing people "buried King Hezekiah in the chiefest of the sepulchres of the sons of David, and Judah, and all the inhabitants of Jerusalem did him honour at his death;" while, on the other hand, the body of the murdered prophet was cast "into the graves of the common people," and the price of blood was appropriated to the purchase of "the potter's field to bury strangers in?" We desire indeed, as far as possible, to annihilate and abolish all such distinctions here; under the mild and loving influence of the Gospel there is no such being as a stranger, for becoming a Christian, he at once becomes a brother, and so we would

regard him in life, and so we would reverence him in death; but as a nation feels constrained under the combined influence of lively grief and lasting gratitude to pay the last tribute to its departed heroes in magnificent and splendid obsequies, so affection will mournfully indulge and pacify itself in the raising of the monument or the decoration of the tomb; while ever and anon the original equality of the soul that animates each earthly tenement will break forth in the fact, that compassion for untimely death, or reverence of distinguished worth, will accomplish a larger and fuller tribute of funeral honor than exalted rank or unbounded affluence can command.

The concluding observations upon the subject, by the Rev. Thomas Dale, are remarkably appropriate:—

Nothing now remains, but that I touch for one moment on the peculiar benefit, social as well as spiritual, which we may hope to derive from an exclusively Parochial Cemetery. "The honour generally due unto all men," says the admirable Hooker, "maketh a decent interring of them to be convenient, even for very humanity's sake;" and, we may add, that this "decent interring," where it shall be afforded in a Parochial Cemetery, such as is here inaugurated to-day, comprehendeth two things,—the first, inviolability, and the second what I must call, for lack of a better term, congruity or companionship. As to the first, if we cannot all have marble monuments, we can all, at least, have quiet graves. The epitaph of the Poet of Nature is Nature's own sentiment:—

"Good friend, for Jesus' sake, forbear To dig the dust inclosed here."

For all must feel that an unbroken sod beneath the canopy of heaven is better, far better, than a pyramid, which enterprise can penetrate, or a catacomb, which curiosity can explore. Here they, who do too much, do too little. "In vain," says the old writer before quoted, "in vain do individuals hope for immortality, or any patent from oblivion in preservatives below the moon; mummy becomes merchandise, Mizraim cures wounds, and Pharaoh is sold for balsams." But what inducement will cupidity itself ever find to rifle these unassuming repositories of the dead? Grant that in less than a century even this wide space be fully occupied; yet the shady grove, the quiet walk, the graceful tree, the budding rose, the springing flower, yes, even the worn grey stone, telling of the resurrection, will be profitable and pleasant to the living, for this is the home appointed for all men, and "the living will lay it to his heart." But I lay a yet greater stress on what I have called con-

gruity or companionship. A parish has many attributes of a family, and the human heart has a natural affinity with family graves. If any of us are spared to visit this Cemetery after a lapse of time, we shall still be encompassed by those with whom we have conversed and acted when living, and with whom, if they have departed in the Lord, we are still members of the "One Family" which, whether in heaven or on earth, is alike "named of Christ." True it is, as I have already said, that our Nonconformist brethren will lie in ground unconsecrated, except by their own prayers. Such is their pleasure, and we cannot question their right; but our souls at least may be united, though our bodies must rest apart; and it is our common consolation and privilege to know, that when the "trumpet shall sound, and the dead shall be raised incorruptible, and we shall be changed," the "dead in Christ"-lie where they may, in the clefts of the rocks, or in the depths of the ocean -shall "rise first." Here, then, until that hour, the Christian minister may rest, encompassed by those who were once his congregation upon earth, and shall be "his hope, and joy, and crown of rejoicing, in the day of the Lord Jesus;" here Christian parents may repose in peace with their children all around them-

> "Each in a tomb, whose circuit doth contain The perfect model of eternity;"

until the day when they shall be again united in a bond of love that is indissoluble and eternal; and they who shall arise, as they have departed, in the Lord, shall say each for himself, "Behold I, Lord, and the children whom thou hast given me." The greater part indeed, it has been truly said, "must be contented to be as though they had not been; to be found in the register of God, not in the record of men;" but in that register, we are assured, none shall be wanting, though when they perished as the righteous, no man laid it to his heart. "ALL that are in the grave shall hear the voice of the Son of God, and live." And may God in His mercy grant that when He shall have accomplished the number of His elect, and established His kingdom over all, this place, about to be consecrated henceforth to His service, may yield a rich harvest in the day of the ingathering of souls-that day, when we shall at last fully apprehend, and finally realize those sublime and most impressive words which the church recites over all whom, in committing to their parent dust, she commends also to their Saviour Christ, "I am the Resurrection and the Life, saith the Lord: he that believeth in Me, though he were dead, yet shall he live: and whosoever liveth and believeth in Me shall never die."

The object of this work is to afford to the public useful, practical, and legal information upon a subject which cannot fail to be interesting to every class of the community. It will be found to contain the whole of the Acts of Parliament relating to the interment of the dead, within and beyond the metropolis, together with an elaborate analysis of the same. The new regulations and suggestions issued by the Secretary of State for the management of parochial and other burial grounds; together with sketches of the history of the formation, the situation, extent of acreage, character of soil, rules and regulations, fees and charges for interments of the various metropolitan cemeteries, parochial and proprietary, form a prominent feature of this work. It is, therefore, hoped, that its production may not be deemed unacceptable to the public, or to the local and commercial bodies whose duty or province it is to provide a last resting place for the remains of the departed.

THE AUTHOR.

#### ANALYSIS

OF

# BURIALS' ACTS.

METROPOLITAN BURIALS' ACT, 15th & 16th Vict., CAP, 85.

This Act, which was the second framed with respect to the interment of the dead of the metropolis, received the Royal Assent on the 1st July, 1852; and its preamble and 1st section, sets out the expediency of repealing the Act of the 5th August, 1850 (13 & 14 Vict., c. 52), except so much of the same as relates to the continuance of the power on the part of Her Majesty, contingent upon the existence of the General Board of Health, to appoint an additional member of such board as authorized by the said Act.

# Orders in Council for Closing Grave-Yards, &c.

The sections of this Act, from 2 to 8, relate to the subject of closing grave-yards and the discontinuance of burials in parts of the metropolis. The Queen in Council, upon the representation of one of Her Majesty's Principal Secretaries of State, is empowered, in case it shall appear necessary for the preservation of the public health, in any part or parts of the metropolis, or in any places of burial in the metropolis, to order that interments shall be wholly discontinued, or discontinued subject to any exceptions or qualifications mentioned in such order. One month's notice of such order to be published in the *London Gazette*, and affixed for that period on the doors of the churches or chapels of the parishes or places affected by such representation. Where, however, such order is made under "The Nuisances Removal and Diseases Prevention Act, 1848, for

the prevention of epidemic, endemic, and contagious diseases, then seven days' notice of a determination to put such order in force is sufficient. (Sect. 2.) No such order is to extend to the burial grounds of Quakers or Jews, used solely for the burial of such people, or to any non-parochial cemetery, the property of any private person unless expressly included. (Sect. 3.) After the time mentioned in such Order in Council, the burial of any body in the place designated and ordered to be closed, renders every person who shall in any wise act or assist in the burial of any body guilty of a misdemeanor. (Sect. 4.) After the time from which burials are ordered to be discontinued in any parish ground, the body of any parishioner or inhabitant of such parish is prohibited from being buried in any other metropolitan burial ground, except where the body of any of the family or relatives of such parishioner have been interred in such burial ground, or the relatives or other persons having the care of the funeral signify a desire to that effect. Every person having the control of such burial ground knowingly permitting any burial therein contrary to this enactment shall be guilty of a misdemeanor.

The 6th section is a very important one, as it extends to the saving of certain rights to bury in vaults; and empowers the Secretary of State from time to time on application being made to him, and on being satisfied that the application of such right will not be injurious to health, to grant a license for the exercise of such private right, providing the same shall not prejudice or affect the authority of the ordinary or other person who, if this Act had not been passed, might

have prohibited or controlled such interment.

Sections 7 & 8 prohibit the extension of this Act to the non-parochial cemeteries of the metropolis mentioned in schedule B, or to any cemetery hereafter approved by the Secretary of State, or to Saint Paul's or Westminster Abbey, or where Her Majesty, by sign manual, shall signify her pleasure that a body be so interred; and section 9 prohibits the providing or using of any new cemetery in the metropolis, or within two miles of any part thereof, without the previous approval of the Secretary of State.

Adoption of Metropolitan Burials' Act.

The churchwardens of any parish in the metropolis, upon

the requisition in writing of 10 or more ratepayers, to whom any place or places of burial therein appears insufficient or dangerous to health, shall convene a meeting of the vestry for the special purpose of determining whether a burial ground for the parish shall be provided under the Act for the parish, and public notice of the time and place of holding such vestry meeting shall be given at least seven days before holding such vestry meeting; and if it be resolved at such meeting that a burial ground for such parish shall be provided under this Act, then a copy of such resolution, extracted from the minutes of the vestry, shall be signed by the chairman and sent to one of the Principal Secretaries of State.

### Election and Constitution of Burial Boards.

In case the vestry agree to provide a burial ground, they shall appoint not less than three, nor more than nine, rate-payers to be the burial board of such parish, one-third of whom (to be determined amongst themselves) shall retire annually at such time as shall be fixed by the vestry, but shall be eligible for immediate re-appointment. The incumbent of the parish to be eligible to be appointed as a member of the board, although not a ratepayer of the parish. A member of the board may resign on giving notice in writing to the churchwardens, or persons to whom it belongs to convene meetings of the vestry. (Sect. 11.)

Vacancies in the board may be filled up when and as the vestry may think fit. (Sect. 12.) The board to meet at least once a month at their office or other convenient place, previously notified, and at such other time as at any previous meeting shall be determined upon, and a board may be summoned in writing, under the hands of any two members, with at least forty-eight hours notice, for any special purpose mentioned therein. (Sect. 13.) Three members are a sufficient quorum for transacting business and for exercising all the powers of the board. (Sect. 14.) Boards may appoint and remove at pleasure clerks and other officers; and with the approval of the vestry, may appoint reasonable salaries, wages, and allowances for such offices; and may hire and

# Minutes and Accounts of Boards.

rent a sufficient office for holding their meetings and trans-

acting their business. (Sect. 15.)

Entries of all proceedings, with the names of members

attending each meeting, to be entered in books provided for the purpose, to be signed by the members present or any two of them, and all entries so signed shall be received as evidence.

Accounts are to be kept of all sums of money received and paid, and all liabilities incurred, by the burial board under this Act. (Sect. 16.) All such books to be at all reasonable times open to the examination of every member of such board, churchwarden, overseer, and ratepayer, without fee or reward, and they may take copies of or extracts from such books without paying for the same. In case any members of such board, or any officers having the custody of such books, refuse to permit such inspection as aforesaid, such member or officer upon conviction thereof before any Justice of the Peace shall forfeit any sum not exceeding five pounds. (Sect. 17.)

# Appointment of Auditors, &c.

The vestry shall yearly appoint two persons, not being members, to audit the accounts of the board, at such time in the month of March as the vestry shall appoint, to whom the board shall produce their accounts, with sufficient vouchers for all moneys received and paid, and the auditors shall examine the same and report thereon to the vestry. (Sect. 18.)

Expenses incurred or to be incurred by a burial board in carrying this Act into execution shall be chargeable upon the poor rates. The expenses of providing and laying out a burial ground and building chapel or chapels not to exceed such sum as the vestry shall authorize for such purpose; and upon receipt of a certificate, signed by three or more members of the burial board, the vestry or others authorized to make and levy poor rates, shall pay such sums out of such rates as the board shall direct. (Sect. 19.)

### Powers to Borrow and Disburse Moneys.

With the sanction of the vestry and approval of the commissioners of Her Majesty's Treasury burial boards may borrow money required for providing and laying out any cemetery under this Act, and building a chapel or chapels thereon, and charge the payment of such money with interest on the future poor rates of the parish. Not less than one-twentieth of the principal, in addition to the interest, to be paid every year until the whole is discharged.\* (Sect. 20.)

The Public Works Loan Commissioners, under the 14th and 15th Vic., cap. 23, are authorized for a further period to advance money out of the consolidated fund to a limited amount for carrying on public works, &c., and are empowered to make any loan to the burial board of any parish upon the security of the poor rates of the parish. (Sect. 21.)

The income arising from the burial ground provided for the parish (except fees payable to the incumbent, clerk, sexton, &c.) to be applied towards defraying the expenses of the board under this Act; and if, after satisfying all liabilities, and all probable liabilities of a burial board during the then next year, there shall be at the time of the holding the meeting of the vestry at which the yearly report of the auditors shall be produced, any surplus money at the disposal of the board, they shall pay over the same in aid of the poor rate of the parish. (Sect. 22.)

### Union of Parishes for providing Burial Grounds.

Section 23 empowers the vestries of any parishes to concur in providing one burial ground for the common use of such parishes in such manner not inconsistent with the provisions of this Act as may be mutually agreed, and may agree upon the proportion of land to each parish, and the proportion in which the expenses of such burial ground shall be borne by such parishes. Burial boards of parishes so agreeing, may act as one joint burial board for the management of such burial ground, and may have a joint office, clerk, and officers, and all the provisions of this Act shall apply to such joint board accordingly. The accounts and vouchers of such board are to be reported on by the auditors of each of such parishes, and any surplus money to be divided in the same proportions in which such parishes shall be liable to expenses.

<sup>\*</sup> The limit of 20 years for the repayment of the principal money borrowed for the purposes mentioned in this section, is repealed by the 18th section of the "Burials Amendment Act, 1857."

# Incorporation and Powers of Burial Boards.

For the more easy execution of the purposes of this Act, the burial board of every parish adopting it becomes a body corporate, with right of perpetual succession, and a common seal, can sue and be sued, and has power and authority (without any license in Mortmain) to take, purchase, and hold land for the purposes of this Act. (Sect. 24.)

Section 25 enacts that every burial board so soon as incorporated shall, with all convenient speed, proceed to provide a burial ground for the parish for which they are appointed, and in doing so shall have reference to the convenience of access thereto from such parish. Such ground may be provided either within or without the limits of the parish for which it is provided. No new ground shall be appropriated as a burial ground or addition to a cemetery nearer than 200 yards to any dwelling-house, without the consent in writing of the owner, lessee, and occupier of such dwelling-house.\*

A burial board, with the approval of the vestry, may contract for or purchase any lands for the purpose of forming a burial ground or making additions thereto, or to purchase from any company any cemetery or cemeteries, or parts thereof, subject to any subsisting rights which may have been previously granted therein. A contract with any such cemetery company may also be entered into upon such terms as the burial board may think fit, for the burial of the bodies of persons who would have had rights of interment in the burial grounds of such parish or respective

parishes for which the board may act. (Sect. 26.)

The 27th section incorporates certain provisions of the Lands Clauses Consolidation Act, 1845, 8th and 9th Vict., cap. 18, with respect to the purchase of land, with this Act; and the burial board is empowered with the approval of the vestry to sell any lands purchased by them under this Act, in which no interment shall have taken place, and may execute a deed of conveyance of such land to the purchaser, under the hands of at least two members, and the seal of the board. (Sect. 28.) Any burial board may, with the approval of the vestry and of the guardians of the poor of any parish (if any), and of the Poor Law Board,

<sup>\*</sup> This distance is lessened by the Burials (beyond the metropolis) Act, 17th and 18th Vict., cap. 87, to 100 yards.

appropriate for the purposes of a burial ground, any land belonging to such parish, where any land so taken shall be subject to any charitable use, then it shall be only on such conditions as the Court of Chancery shall direct. (Sect. 29.)

It is lawful for any burial board to lay out and embellish any burial ground, and to erect, according to a plan to be approved by the bishop of the diocese, a chapel for the performance of the burial service according to the rites of the established church, and such burial ground may be consecrated by the bishop when the same shall appear to him in a fit and proper condition for the purposes of interment according to such rites. The board in providing such burial ground shall set apart a portion thereof which shall not be consecrated, and may build thereon a suitable chapel or chapels for the performance of funeral service.\* (Sect. 30.)

Burial boards have power from time to time to enter into any contract for building a chapel or chapels, and for inclosing or laying out a cemetery; such contracts to specify the works to be executed, the prices to be paid for the same, and the penalties to be suffered in cases of non-performance thereof; such contracts or true copies to be entered in books kept for that purpose. No contract exceeding £100 can be entered into by a burial board, without 14 days notice in one or more public newspapers, published in the county in which the parish shall be situate. It is not incumbent on the board to accept the lowest tender. (Sect. 31.)

### Consecration and exclusive Rights, &c.

After the consecration of any burial ground provided under this Act (except any portion thereof intended not to be so consecrated), at such time as the bishop of the diocese shall appoint. Such burial ground shall be deemed the burial ground of the parish or parishes for which the same is provided.

Every incumbent or minister of a parish may authorise duly qualified persons to perform the service in the con-

<sup>\*</sup> The 16th and 17th Vict., c. 134, section 7, materially alters this section, and renders it compulsory where a burial board build a chapel in which the service of the established church is performed, that they shall also build a chapel for the unconsecrated ground.

secrated part of such aforesaid burial ground, and shall as such incumbent or minister be entitled to receive the same fees in respect of such burials, as he previously enjoyed and received, and the clerk and sexton shall (when necessary) perform the same functions, and receive the same fees in respect of the burial of parishioners of such parish as he previously performed, and the parishioners and inhabitants shall have the same rights of sepulture as they

previously enjoyed. (Sect. 32.)

By the 33rd section, any burial board under such restrictions and conditions as they think proper, are empowered to sell the exclusive right of burial, either in perpetuity or for a limited period in any part of the burial ground provided; as also the right of constructing any vault, with the exclusive right of burial therein, and of erecting any monument, grave stone, or tablet, or monumental inscription, upon payment to the incumbent such fees in the consecrated ground as he would have been entitled to therefrom

in the old burial ground of his parish.

Every burial board is empowered (without prejudice to the payment of fees specially provided for in this Act) to fix and settle and receive fees and payments for interments, and for exclusive right to construct vaults and to erect monuments, and with the consent of the Vestry, may from time to time revise and alter such fees and payments. (Sect. 34.) This clause also enacts, that "a table shewing such fees, payments, and sums, and all other fees and payments in respect of interments in such ground, shall be printed and published, and shall be affixed, and at all times continued on some conspicuous part of such burial ground."

# Distribution of Fees, &c.

Where fees in respect of burials have been previously divided between the incumbent of any parish and the incumbent of any ecclesiastical district, each incumbent is to be entitled to the same proportion of burial fees in the cemetery provided under this Act, as he was entitled to in respect of interments in the old burial ground. (Sect. 35.)

Where fees payable on interments, or for any monument, grave stone, tablet, or monumental inscription, had been previously by law or custom payable to the churchwardens or to trustees, for or towards the payment of any annuity

or stipend to the incumbent, or minister, or any other parochial purpose, or debt, such fees shall be payable under this Act, and shall be received by the burial board, and paid to the parties entitled to receive the same; and where such fees have been previously received by any such church-wardens or trustees, for the purpose of discharging any periodical payment or other liability, it shall be lawful for the burial board, upon the request of such churchwardens, &c., to pay out of the moneys and fees paid by them such periodical payment or liability. (Sect. 37.)

The 37th section empowers the vestry of any parish, with the consent of the bishop, to revise and vary the fees payable to the incumbent, clerk, and sexton, &c. respectively, and to substitute a fixed annual sum of such amount as to the vestry may seem just, and the fees in such case shall be paid to the burial board, and such fixed payments shall be paid by the burial board thereout.

#### Management of Burial Grounds.

The general management, regulation, and control of burial grounds provided under this Act, subject to its provisions and regulations to be made thereunder, is vested in burial boards providing the same. Any question as to the fitness of any monumental inscription in the consecrated portion of a cemetery shall be determined by the bishop of the diocese. (Sect. 38.)

Where a burial ground is provided for the common use of two or more parishes, and a chaplain is paid by means of contributions from the incumbents or deductions from fees payable to them, for the performance of service in the consecrated ground, the bishop shall from time to time confirm any arrangement which a majority, or half of the incumbents shall approve, and the arrangement so confirmed shall be binding upon all parties.

shall be binding upon all parties. (Sect. 39.)

The 40th section provides for the incorporation with this Act of the "Cemeteries Clauses Act, 1847" (10th and 11th Vict., cap. 65, sects. 58 and 59.) The first subjects any person who shall wilfully destroy or injure any building, wall, or fence, or tree or plant, or defaces any monument, tablet, grave-stone, or inscription therein, to a penalty for every such offence of a sum not exceeding £5, and the second inflicts the same penalty on any person who shall

play at any game, or wilfully disturb any persons assembled at a funeral, or who shall commit any nuisance within a

cemetery.

Burial boards may make such arrangements as they may think fit for facilitating the conveyance of bodies from the parish or place of death to their cemetery, and similar powers are given to cemetery companies for the like object.

(Sect. 41.)

It is also lawful for any burial board, with approval of the vestry, and for churchwardens and overseers in any parish where a burial board shall not have been appointed, to hire, take on lease, or otherwise provide fit and proper places in which bodies may be received and taken care of

previous to interment. (Sect. 42.)

The 43rd section provides for the appointment by the Lord Mayor, Aldermen, and Common Council of the City of London of the Commissioners of Sewers of the said City, to exercise for the said city and liberties, all the authorities and powers vested in burial boards under this Act, and under certain provisions of the City of London Sewers' Acts, 1848 and 1851.

It is lawful for the Secretary of State from time to time to make such regulations in relation to burial grounds provided under this Act as to him may seem proper for the protection of the public health and the maintenance of

public decency. (Sect. 44.)

# Purchase of existing Cemeteries.

The 45th section, after referring to the powers given to the General Board of Health under the Metropolitan Interments Act, 1850, for the purchase of the cemetery of the West of London and Westminster Cemetery Company (the Brompton Cemetery), enacts, that if at the time of the passing of this Act, such purchase shall not have been effected, and the cemetery conveyed to the General Board of Health, then the powers with reference to the purchase of the said cemetery shall become transferred to the Commissioners of Her Majesty's Public Works and Buildings, and become vested in them.

The 46th section authorizes, that whereas, by the 14th and 15th Vict., cap. 89, the treasury were empowered to advance a sum not exceeding £137,000, to be used for

the purposes aforesaid, the balance of such sum may be advanced to the Commissioners of Public Works for completing such object, or such sum or sums of money not exceeding that amount, for the completion of the purchase of the said Brompton Cemetery, or in discharge of any liabilities incurred by the General Board of Health under the powers of the Metropolitan Interments Act, 1850.

After payment of the said West London and Westminster Cemetery Company, either by the General Board of Health or by the Commissioners of Works and Public Buildings of the purchase or consideration money for the said Brompton Cemetery, then such company shall continue only for the purpose of winding up its affairs, and satisfy all debts, engagements, and liabilities of the said company.

(Sect. 47.)

The said Commissioners of Works, &c., in case the Brompton Cemetery be vested in them, may sell and dispose of the same, or any part thereof, under the direction of the treasury; and until such sale the Secretary of State may and shall permit the same to be used for interments upon such terms and conditions as he shall think fit, and moneys arising from such interment or sale are to be repaid on account of the moneys advanced from the consolidated fund. (Sect. 48.)

### Compensation and Fees to Incumbents.

Section 49 enacts, where any body is buried in any of the cemeteries mentioned in schedule B to this Act (cemeteries constituted by companies already existing), the fee payable on the body of each pauper to the incumbent of the parish from which such body is removed for interment shall not exceed one shilling, or the sum received by the incumbent in the ground of his parish, and in no case shall exceed two shillings and sixpence; and no other fee or sum shall be payable in such interment to any person or officer of the said parish.

Where, under Local Acts, fees on interments in any parish burial ground in the metropolis are payable to the churchwardens or trustees, &c., for the purpose of enabling them to pay an annuity or stipend to the incumbent or minister, in lieu of fees, the fees from burial grounds under this Act shall be payable to such churchwardens, trustees, &c. &c.

(Sect. 50.)

By the 51st section, power is given to the incumbent or churchwardens, where a church or chapel belonging to any parish with a burial ground, in which interments are discontinued, other than the parish within which the same is locally situate, it shall be lawful for the incumbent and churchwardens, with the consent of the vestry, or persons possessing the powers of the vestry for ecclesiastical purposes, and of the bishop of the diocese, to convey any chapel belonging to such parish to any persons named by the incumbent and churchwardens of the parish, with such provisions for such trustees as the bishop shall seem proper. After the execution of such conveyance all obligations on the part of such parish or trustees, &c., in behalf thereof, to repair such chapel, or pay any stipend to the minister thereof, in connexion with such chapel, shall cease.

The 52nd section is the interpretation clause. The 53rd clause defines the expression "the metropolis" to mean and include the cities and liberties of London and Westminster, the borough of Southwark, and the parishes, precincts and townships, and places mentioned in schedule

A to this Act.

By the 54th section, nothing in this Act is to prejudice or in any way affect the rights and powers vested in any of the cemetery companies incorporated in schedule B.

# 16th & 17th VICT. CAP. 134. Burials beyond the Metropolis.

An Acr to amend the Laws concerning the Burial of the Dead in England beyond the limits of the Metropolis, and to amend the Act concerning the Burial of the Dead in the Metropolis.

# Opening New and Closing Old Burial Grounds.

The preamble of this Act recites the expediency of applying the laws concerning the burial of the dead in the metropolis to the provinces; and the first section empowers Her Majesty in Council, on the representation of the Secretary of State, that the opening of any new burial ground, save with the previous approval of such secretary, or the continuance of any old one for the purposes of interment will be injurious to health, to order that no new burial ground shall be opened in such city or town, or within such limits thereof, but such as shall meet with approval as aforesaid. Burial grounds shall also be discontinued wholly, or subject to such exceptions or qualifications mentioned in such order. One month's notice to the authorities of parishes to whom the order is addressed is requisite to be given and published; and ten days notice of such presentation must be made to the incumbent, churchwardens, or vestry clerk of the parish in which the burial ground presented shall lie.

Sect. 2 provides that such order shall not extend to the burial grounds of Quakers or Jews, or to any non-parochial

or private burial ground unless expressly included.

It is not lawful after the time mentioned in such order for discontinuance of interments to bury in any churchyard, church, chapel, or burial place indicated therein; and any person who in any way assists in the burial of any body contrary thereto shall be guilty of a misdemeanor. (Sect. 3)

### Saving certain Rights.

Private rights to bury in any vault or catacomb may be preserved on application to the Secretary of State, who, if satisfied that the exercise of such right will not be injurious to health, may grant a licence for its continuance, subject to such conditions as he may think fit, providing that they do not affect the authority of the ordinary, or other persons who might previously possess power to prohibit or control interments under such right. (Sect. 4.)

The provisions of this Act are not to extend to cemeteries established by Act of Parliament, or new grounds provided with the approval of the Secretary of State. (Sect. 5.)

Clause 6 provides, that no new cemetery shall be opened in any city or town, or within the limits mentioned in the Order in Council, without the previous approval of the Secretary of State.

### Application of Metropolis Act.

By sect. 7 all the provisions contained in the Metropolis Burials' Act, 15th and 16th Vict., cap. 85, from sect. 10 to sect. 42 (both inclusive), as also sections 44, 50, 51, and 52 of that Act extend to this Act, and are applicable to any

parish not in the metropolis, for the purpose of providing a burial ground, &c., for such parish; and sect. 49 of the said Act extend to all cemeteries in like manner as to those mentioned in schedule B\* of the Metropolitan Act. The same section also enacts, that any burial board building a chapel for burials according to the rites of the Church of England shall also build a chapel for persons not being members of the Church of England; and such burial ground provided by them shall be divided into consecrated and unconsecrated parts, in such proportions as may be sanctioned by one of the Secretaries of State.

### Keeping Registers.

A register of burials shall be kept in every ground, as provided under the 15th & 16th Vict., cap. 85, distinguishing whether the bodies are buried in the consecrated or unconsecrated part of such cemeteries.

Where a burial ground is provided for more than one parish, such register to be indexed, so as to facilitate searches for entries in respect of bodies from the several parishes.

All such registers or copies, or extracts therefrom, shall be received in all courts as evidence, and duly verified copies are to be sent from time to time to the registrar of the diocese; and such registers are subjected to the same regulations as the Registration Act, 6th & 7th Wm. IV., cap. 86, provides so far as such regulations relate to register books of burials kept by any rector, vicar, or curate.† (Sect. 8.)

Section 9 provides that nothing in this Act, except the provisions in sect. 7, and shall extend to parishes in "the

\* Schedule B.—Cemeteries are those provided by private companies under a special Act of Parliament in the metropolis. It will be found appended to the Metropolis Act, 15th & 16th Vict., cap. 85.

† Section 35 of the Births, Deaths, and Marriages' Registration Act, enacts "That every rector, vicar, or curate, and every registrar, registering officer, and secretary who shall have the keeping for the time being of any register book of births, deaths, or marriages, shall at all reasonable times allow searches to be made of any register book in his keeping, and shall give a copy certified under his hand of any entry or entries in the same, on payment of the fee hereafter mentioned (that is to say), for every search extending over a period not more than one year, the sum of one shilling, and sixpence additional for every additional year, and the sum of two shillings and sixpence for every single certificate."

metropolis" as deferred by the previous Act, or otherwise affect the provisions of that Act, and sect. 10 prohibits its extension to Scotland or Ireland.

#### 17th & 18th VICT., CAP. 87.

Burials beyond the Metropolis Amendment Act.

An Acr to make further provision for the Burial of the Dead in *England* beyond the limits of the Metropolis.

Transfer of Powers of Burial Boards to Borough Councils.

The preamble of this Act refers to the difficulties experienced in providing burial grounds by burial boards appointed by vestries, as enacted by the previous Act, consequent in some cases on parishes being wholly or partly within boroughs and separate jurisdictions, and declares the expediency of extending the powers in such cases, for providing places of burials, to Councils of such boroughs. The first section then provides, that upon such difficulty being shown by the petition of any Town Council, Her Majesty in Council may order that powers shall be vested in the Council of such Borough, for providing the required places of burial under this Act. One month's notice is required before such petition is so considered.

By sect. 2, upon the making of such order of Her Majesty in Council in relation of any borough, the Council of such Borough is to have all the powers vested in burial boards under the provisions of the 16th & 17th Vict., c. 134, in like manner as the same are applicable to any parish and to any burial ground provided by such burial board, save that no approval, sanction, or authorization of the

vestry of any parish shall be requisite.

## Raising Moneys and Purchase of Lands.

All expenses of carrying this Act into execution in any borough may be chargeable upon and payable out of the borough fund or rates of that borough; and any surplus or any income derivable from such burial ground is to be appropriated in aid of the rates of such borough, or such parts thereof upon which a rate has been levied for the purposes of this Act,—such surplus to be ascertained upon

the auditing the accounts of the treasurer of such borough

in the month of September in any year. (Sect. 3.)

Sect. 4 empowers any council or burial board if they shall be able to borrow money at a lower rate of interest than that previously borrowed on security of any mortgage, &c., to do so, and pay off and discharge any security or securities bearing a higher rate of interest. Power is also given by sect. 5, for any burial board or council to borrow money to pay off former mortgages.

The Council of any Borough, with reference to the purchase or sales of land for the purposes of this Act, have power to hold and dispose of the same in the name of the body corporate, and a receipt under the hands of the treasurer of the borough is a sufficient discharge to the pur-

chaser of any such lands. (Sect. 6.)

## Alteration of Fees for Interment, Incumbents, &c.

The burial ground or grounds provided for any borough under this Act to be deemed to be provided for the whole of the parishes situate therein as the Town Council shall determine. (Sect. 7.) The council, if they see fit, may fix, revise, alter, and settle fees from time to time, as provided in the 34th sect. of the 15th & 16th Vict., cap. 85, and fix a higher rate in respect of any outlying part of any parish, with the approval of the Secretary of State. (Sect. 8.)

Where a parish forming part of a borough is provided with a sufficient burial ground, it is lawful for Her Majesty, by order in council, to direct that no part of such parish shall be assessed towards defraying the expenses of a cemetery for the other parts of the said borough. (Sect. 9.)

Sect. 10 transfers the powers of vestry, exercised under sects. 33 & 37 of the Metropolitan Act, 15th & 16th Vict., cap. 85, with the consent of the bishop, of fixing and revising the fees payable to incumbents, &c., to borough council.

The council may appropriate land belonging to any borough for the purposes of a burial ground; provided that, where it shall be appropriated to any charitable use, such land shall be taken on such conditions only as the Court of Chancery, in the exercise of its jurisdiction over charitable trusts, shall direct. (Sect. 11.)

Sect. 11 re-enacts the section of the Metropolis Burials' Act, 15th & 16th Vict., cap. 85, with the exception of dis-

tance, that no burial ground or addition thereto shall be constructed nearer than one hundred yards of any dwelling house without the consent in writing of the owner, lessee, and occupier of the said dwelling house.

#### 18th & 19th VICT., CAP. 79.

An Act to amend the Laws regarding the Burial of Poor Persons by Guardians and Overseers of the Poor.

## Interment of the Poor.

This Act, passed on the 30th July, 1855, recites in its preamble the 7th & 8th Vict., cap. 101, sect. 31, by which provisions were made for the burial of poor persons by guardians and overseers; and states that, in consequence of the closing of burial grounds in many parishes and want of adequate space in others, much difficulty has arisen in the execution of the provisions of the before-mentioned Act, and it is expedient that other provision should be made.

The first section then enacts, that when the guardians of any union or parish, or their officers, who undertake the burial of any poor person, shall find the burial ground of their parish closed and no other provided, or where, in consequence of the overcrowded state of such ground, the guardians or overseers are of opinion that the burial of a dead body therein would be improper, it shall be lawful to bury such body in a public burial ground (some part of which has been consecrated) of or in some other parish, upon payment of such fees to the person or persons who by custom or Act of Parliament shall be entitled to receive such fees.

Power is given to the guardians of every union or parish to enter into agreements with burial boards or cemetery companies, duly constituted under statutes for the burial of the bodies of poor persons, for whom it is their duty to provide burial (unless the deceased, or the husband, or wife, or next of kin have otherwise expressly desired). No such agreement, however, is valid unless made in such form, and with such stipulations as the Poor Law Board shall approve. (Sect. 2.)

By section 3, the words in this Act are to be construed as in the 4th & 5th Wm. IV., c. 76. (The Poor Law Amendment Act.)

#### 18th & 19th VICT., CAP. 128.

An Acr further to amend the Laws concerning the Burial

of the Dead in England.

The second Act of the Session 1855 on this subject, passed on the 14th August, after reciting the preceding Acts, the preamble asserts, it is expedient that further provision should be made for the burial of the dead, and that the said Acts should be amended.

# Orders in Council and Alteration of Powers.

Sect. 1st gives power to Her Majesty in Privy Council to postpone the time appointed by any order in council, or in any way amend such order which may have been made under the recited Acts, as may seem fit.

Any person violating the provisions of such order by burying contrary thereto, upon conviction before two justices, shall forfeit a sum not exceeding £10.\* (Sect. 2.)

Sect. 3 empowers churchwardens, &c., at any time, at their discretion, without requisition of ratepayers, to convene a vestry meeting to determine whether a burial ground

shall be provided by the parish.

Where an Order in Council has been made or notice given to apply to the Privy Council for closing burial grounds, the churchwardens shall call a meeting of the vestry, to provide provision for the interment of the dead

of the parish.

Every vacancy in any burial board must be filled up by the vestry within a month after such vacancy shall have happened; and in case a vestry neglect to fill up such vacancy, it may be filled up by the burial board at any meeting thereof. Every person appointed must be a rate-

\* In preceding Acts no penalty is attached, the offence being merely

declared to be a misdemeanor.

† This repeals the 10th section of the Metropolis Act, 15th and 16th Vict., chap. 85, which renders a requisition in writing of ten or more ratepayers necessary to enable churchwardens, &c., to convene a vestry meeting for such purpose.

payer of the parish, except the incumbent, for which the burial board acts, and the burial board may act for any purpose notwithstanding such vacancies therein. (Sect. 4.)

Sect. 5 repeals so much of sect. 13 of the 15th & 16th Vict., cap. 85, as requires that the burial board shall meet

once at least in every month.

By sect. 6. If a vestry refuse or neglect to authorize the expenditure of such sums as the burial board shall have declared to be necessary for providing and laying out a burial ground and building the necessary chapel or chapels therein, the Secretary of State is empowered, upon a representation of such refusal made to him by such burial board, by warrant under his hand, to authorize the burial board, subject to his limitation of amount, to borrow and charge such money for such purposes upon the rates of the parish; and all acts done in pursuance of such warrant are as valid as if the sanction of the vestry had in every case been obtained.

All fees and payments received by burial boards under sect. 34 of the 15th & 16th Vict., cap. 85, shall be so fixed and settled, subject to approval by the Secretary of State; and no such fees shall be altered or varied without such

approval. (Sect. 7.)

The Secretary of State has power to authorize the inspection of any burial ground or cemetery, parochial or non-parochial, and ascertain the condition thereof; and when regulations have or may be made by him to ascertain whether such regulations have been complied with. The penalty for obstructing such inspector, or violating such regulations, upon conviction, is not exceeding £10. (Sect. 8).

Sect. 9 also repeals that part of sect. 24 of the 15th & 16th Vict., cap. 85, which prohibits the construction of a burial ground within 200 yards of any dwelling house,

and reduces the distance to 100 yards.

If the ratepayers assembled in vestry, duly convened, resolve unanimously, that any new ground to be provided under the provisions of this Act shall be held, used, and subject to all laws and regulations as the existing burial ground or churchyard of the parish, the land for such new ground may be conveyed and settled in accordance therewith; and in such case it shall not be necessary to set apart, to remain unconsecrated, any portion of the land so conveyed and settled. (Sect. 10.)

It is also provided by section 10, that if within 10 years, a duly convened vestry should determine on having an unconsecrated ground, then the recited Acts and this Act

may be put in force for providing the same.

Where a parish or place has been united with any other parish or place, they are empowered to appoint in vestry of such several parishes a joint Burial Board, whether such parishes separately maintain their own poor or not; and a burial ground so provided shall be for the common use of such parishes or places, the expenses of the same to be apportioned among them in accordance with the value of property in such several parishes or places as rated to the relief of the poor. (Sect. 11.)

Burial Boards may be appointed for a township, &c. (not separately maintaining their own poor), which have had separate burial grounds, and such Burial Boards will have the same powers for providing a burial ground, as if such township or district had been a parish separately

maintaining its own poor. (Sect. 12.)

Section 13 provides for the expenses of Burial Boards of any township or place not separately maintaining its own poor, but forming part of a parish maintaining its own poor, by authorizing the Burial Board to issue their certificate to the overseers of such parish or parishes as are authorized to make and collect a common or other rate for the purposes of such Burial Board, and such overseers shall pay such sums as shall be required by such certificate,

according to the directions of such Burial Board.

The question again arises by the 14th section as to the obligation upon Burial Boards which have erected a chapel for the burial service according to the rites of the Church of England, and it is enacted that upon the representation to the Secretary of State of a majority of three-fourths of a vestry of any parish, that the building of a chapel upon the unconsecrated part of any such burial ground is unnecessary, and the Secretary of State think fit to signify his opinion to such Burial Board to that effect, then the said Burial Board shall be there upon relieved from all obligations to build the same.

### Assessment to Local Rates, &c.

The fifteenth section is a most important one to Burial

Boards in reference to purchasing sites for cemeteries prior to the passing of this Act, and section, in places where cemeteries had been previously constructed as in the case of the Marylebone, St. Pancras, and Islington cemeteries. At Finchley attempts were made by the vestry of that parish to increase the assessment from what the land previously was assessed at for agricultural purposes, to a comparatively enormous amount for the purposes of a cemetery. teenth section therefore enacts "that no land already, or to be hereafter purchased or acquired for the purposes of a burial ground (with or without any building erected or to be erected thereon) shall, while used for such purposes, be assessed to any county, parochial or other local rates, at a higher value or more improved rent than the value or rent at which the same was assessed at the time of such purchase or acquisition."

## Erecting of Joint Chapels, Letting Lands, &c.

In cases where Burial Boards have provided burial grounds for their respective parishes, and such grounds adjoin each other, powers are given to such Burial Boards to contract with each other for the building a chapel or chapels either on one or part of both of such grounds for the joint use of both of such parishes; and the Burial Boards may agree as to the proportions in which the expenses of such chapel accommodation shall be borne by each of the said boards respectively,\* and during the existence of any such agreement, such chapel shall be deemed and taken to be the chapels of and belonging to each of such burial grounds respectively. (Sect. 16.)

The seventeenth section empowers Burial Boards, with the sanction of the Secretary of State, to let land purchased by them which has not been consecrated, and in which no body has been at any time interred, not required for the purposes of the burial ground, provided that power shall be reserved to the Burial Board to resume any such land upon giving six months' notice.

In every case where an Order in Council has been or shall be hereafter issued for the discontinuance of burials

<sup>\*</sup> The principle laid down in this section is adopted by the Burial Boards of St. Pancras and Islington, whose grounds adjoin each other at Finchley.

in a churchyard or burial ground, the Burial Board or churchwardens, &c., shall be compelled to keep such ground in decent order, and charge the necessary repairs of walls, fences, &c., upon the poor rates or fund legally chargeable with such costs and expenses. (Sect. 18.)

Section 19 prohibits the abridgment by this Act of any powers of local boards of health, and section 20 confers upon local boards of health the right to exercise the powers of Burial Boards created under this Act, or by the secondly

recited Act.

Section 21 provides that the Acts, 15th and 16th, 16th and 17th, and 17th and 18th years of Her Majesty, and this Act, shall be read and construed together as one Act.

### 20th & 21st VICT., CAP. 35.

An Acr to amend the Laws concerning the Burial of the Dead in the Metropolis, so far as relates to the City of London and the Liberties thereof. (10th August, 1857.)

## Fees in the City of London.

The preamble of this Act, after reciting the powers conferred upon the corporation of London, by the 15th and 16th Vict., to appoint the Commissioners of Sewers for the City of London, to exercise the powers and authorities of Burial Boards under that Act, proceeds to show that such commissioners have provided a large and spacious cemetery in the parish of Little Ilford, in the county of Essex, at an expense of £75,000. Inasmuch as there are more than 100 parishes within the City of London and the liberties thereof, it has been found impracticable to obtain the requisite consents of all the vestries of such parishes, to the uniform exercise of such powers by the said commissioners; and also to establish a uniform payment of fees for interments. It is expedient that an Act be passed, to enact that a table of fees agreed upon shall be made to apply to the whole of the parishes within the City of London and the liberties thereof, with the approval of the majority of such vestries.

### Authority of Commissioners of Sewers.

The first section then empowers the City Sewers Commission to enforce the fees in the schedule at the end of

the Act for interments in the cemetery at Little Ilford, whether on the remains of the parishioners of city parishes or other persons, and the same shall be in satisfaction of all claims on the part of incumbents to fees of every

description in the said cemetery.

Section two provides that the assent of a majority of vestries of parishes within the City of London shall be sufficient authority to the Commissioners of Sewers to execute any act, deed, matter, or thing under the authority of the said Act, and to confirm and render valid the same, as if all the said vestries within the City of London and liberties thereof had approved of the same.

The provisions of the 32nd, 33rd, 35th, 37th, and 50th sections of the 15th and 16th Vict., cap. 85, with reference to fees payable to incumbents, churchwardens, &c., and also with reference to powers to vestries, with consent of the Bishop, to revise and vary fees, and make fixed payments in lieu thereof, to incumbents, clerks, and sextons, are repealed so far as the City of London is concerned. (Sect. 3.)

Section four confers the whole of the powers to settle and determine what fees shall be payable to churchwardens, clerks, or sextons, &c., in the Commissioners of Sewers

for the City of London.

Fees paid by the commissioners to incumbents, &c., shall be made in quarterly payments to such incumbents or persons appointed by them to receive the same. (Sect. 5.)

The commissioners may without prejudice to fees payable to incumbents, subject to the approval required by the 7th section of the 18th and 19th Vict., cap 128 (the Secretary of State), settle a scale of fees for burial in the cemetery at Little Ilford, of persons not resident within the City of London, and from time to time revise the same. (Sect. 6.)

Section seven provides that chaplains of cemeteries shall conform to all regulations of the commissioners, providing the same do not interfere with the performance of the service, in accordance with the rites of the Established

Church.

Section eight is the interpretation clause, and section nine authorises the expenses of obtaining this Act, to be defrayed out of the consolidated rate, authorized to be made by the City of London Sewers Act, 1848. The schedule referred to in the first section entitles the incumbents to the following fees, viz:—For each burial in a catacomb in consecrated ground, 15s.; in a vault, 10s.; in a brick grave, 7s. 6d.; in a private grave, 5s.; in a common grave, 2s. 6d.; for each burial of a pauper, 1s.

#### 20th & 21st VICT., CAP. 81.

An Act to amend the Burial Acts. (25th August, 1857.) This Act of the late session recites in its preamble the expediency of amending four of the preceding Acts with reference to the burial of the dead, viz., the 15th and 16th Vict., c. 85, the 16th and 17th Vict., c. 134, the 17th and 18th Vict., c. 87, and the 18th and 19th Vict., c. 128.

## Joint Burial Boards, &c.

Section 1 authorises Burial Boards, with the approval of a majority of vestries of such parishes, to act jointly for one or more parishes.

Where the vestries of two or more parishes have agreed to provide one burial ground for common use, such vestries may at any time before such burial ground has been provided determine the union between such parishes under such agreement. After expenses already incurred by the joint Burial Boards are defrayed, the provisions of the said Act and this Act are applicable to such Burial Boards respectively. (Sect. 2.)

#### Powers of Burial Boards Revised.

Section 3 empowers Burial Boards to provide more than one burial ground, or separate and distinct grounds to be used as consecrated and unconsecrated burial grounds, with the approval of the Secretary of State.

Her Majesty in Council, upon the petition of a local board of health or commissioners elected by ratepayers, stating that no Burial Board has been appointed to provide a burial ground, is empowered to constitute such local board of health, &c., a Burial Board for the purposes of the Act. (Sect. 4.)

Section 5 enacts, that a Burial Board may be established for a district not maintaining its own poor, and which has no separate burial ground.

Where the guardians of any parish or union are or shall become possessed of any land suitable for the purposes of a burial ground, and the Poor Law Board shall assent to the same being appropriated to the reception of dead bodies of poor persons, it shall be lawful for the ordinary of the diocese, if he see fit, to consecrate the whole or such part of such land for burial purposes, and the land so consecrated shall not be thenceforth used for any other purposes. Provided, however, that the guardians shall not be authorized to direct the body of any person to be buried in any such grounds, who, or whose husband, wife, or next of kin, shall, by letter addressed to the master of the workhouse, or otherwise have expressly desired burial to take place elsewhere. (Sect. 6.)

Section 7 provides for the transfer to a Burial Board of a burial ground provided under Church Building Acts with the consent of the ordinary and Burial Board of the parish; and should any debt be remaining on such ground, the amount remaining on such ground, shall, after such transfer, be raised and paid by the Burial Board out of such rates or funds as are prescribed by the recited Acts. The Burial Board with the sanction of the vestry may enlarge such burial ground, and subject to the provisions of the previous Acts may add an unconsecrated

portion to such ground.

The vestry of a parish, in which a burial ground has been closed, may by resolution purchase such burial ground, although the same may not belong to the parish in which it

is situate. (Sect. 8.)

Where Burial Boards are appointed for united parishes, &c., in cases provided for by the 18th and 19th Vict., c. 128, no such appointments of Burial Boards are to take place without the sanction of the Secretary of State. (Sect. 9.)

## Orders in Council under New Act.

It is lawful for Her Majesty by Order in Council to establish such regulations as to Her Majesty may seem proper for the protection of the public health, and for the maintenance of public decency in respect of all burials in common graves in any cemeteries named in schedule B to the 15th and 16th Vict., c. 85,\* and in any cemeteries established under the authority of any Local Act of Parliament. The refusal or neglect to obey such orders and regulations subject persons so acting to a penalty not exceeding £10. (Sect. 10.)

Consecrated and Unconsecrated Grounds.

The eleventh section is one of the most important throughout the new Act of Parliament, inasmuch as it settles the question upon which so much heartburning and bickering has hitherto existed between churchmen and nonconformists. It enacts that it shall not be necessary to erect or maintain any wall or fence between the consecrated and unconsecrated portions of any cemetery. Burial Boards are, however, to place, and from time to time repair and renew boundary marks of stone or iron, as may be sufficient to show the boundaries of such consecrated and uncon-

secrated portions respectively.

If upon application in writing by a Burial Board to the bishop of the diocese for the consecration of a burial ground, declared in such writing to be in a fit and proper condition for the purposes of interment, according to the rites of the Established Church, the said bishop shall refuse to consecrate the same, the Burial Board may appeal from such refusal to the archbishop of the province, who shall decide the matter in dispute. If the archbishop decide that the ground is not in a proper condition to be consecrated, then the Burial Board is bound to make it so. If his decision be that it is in a fit condition, such decision shall be communicated by the archbishop to the bishop, and if within one calendar month the bishop does not consecrate the ground, the archbishop shall, under his hand and seal, license the same for interments, and such license until the ground be consecrated shall operate and make lawful the use of the same as if it had been consecrated. (Sect. 12.)

Where a burial ground has been provided under the sanction of the Secretary of State and certified by him, it is lawful for the incumbent or curates of parishes, &c, if they think fit, to bury in such burial ground prior to the decision of the bishop or archbishop upon the application for the consequence (Sect. 13)

for the consecration thereof. (Sect. 13.)

<sup>\*</sup> The commercial cemeteries, such as Kensall Green, Highgate, &c.

### Abolition of Tolls on Funerals, &c.

The fourteenth section of this Act is a most important one to the poorer classes. After reciting section 32 of the 3rd Geo. 4th, c. 126, exempting persons from toll going to or returning from a funeral taking place in the parish in which the deceased shall have died; the clause extends the provisions of such Act, to exempt from toll any person going to or returning from a funeral in any parish, township, or place, in which any turnpike road shall lie, of any person who shall be buried in any burial ground provided for the parish, township, or place, in which he died, although such burial ground be not within the limits of the parish or township, or place for which the burial ground may have been provided, or in which such person shall die, or in which the turnpike road shall lie. Such exemption from toll to take effect from and after the 1st day of July, 1858, or from and after the termination of any existing lease of tolls expiring before that date.

Any person wilfully destroying, injuring, or falsifying any register of burials or certified copy or entry thereof, or forge or counterfeit the seal of any Burial Board, shall

be guilty of felony. (Sect. 15.)

Section 16 renders it unnecessary to apply the 4th section of the 52nd Geo. 3rd, c. 146, which enacts, that where any other than the vicar, incumbent, &c., performed the burial service in any other place than the church or churchyard of any parish, that the minister who performed the ceremony should transmit an entry of such burial to such vicar or incumbent, to burials taking place under this Act.

Settlement of Fees in Consecrated & Unconsecrated Ground, &c.

Section 17 also settles a long disputed point and enacts, that no fees shall be charged by any Burial Board in respect of any service done or right granted in the unconsecrated portion of any burial ground, but such as are identical in amount with the fees charged for the same service or right in the consecrated portion of such ground, less any such portion of corresponding fees or payments which may be received for or on account of any incumbent, churchwarden, clerk, or sexton, or of any trustee for or on behalf of any incumbent, churchwarden, clerk, or sexton.

So much of section 20 of the 15th and 16th Vict., c. 85, as requires that in addition to interest on money borrowed, not less than one-twentieth of the principal sum borrowed shall be paid annually until the whole is discharged, is repealed by section 18 of this Act.

By the 19th section the clauses of the Commissioners Clauses Act, 1847, with respect to mortgages, are incorporated, and made to apply to all mortgages and other

securities executed by Burial Boards

## Raising and Payments of Moneys.

For the purpose of providing a sinking fund for the payment of money borrowed on mortgages, Burial Boards shall once a year set aside such a sum as they think proper, equal to or exceeding one-fiftieth part of the principal money so borrowed. (Sect. 20.)

Burial Boards are empowered by section 21 to borrow money on terminable annuities for a life or lives, or any

number of years not exceeding 30 years.

Councils of boroughs are empowered to make a separate rate for payment of the expenses incurred, the construction of cemeteries to be called a burial rate, and be charged upon all property within such borough, liable to be charged to the borough rate. (Sect. 22.)

An Order in Council may be issued, on representation of Secretary of State, ordering the closing or regulation of any vaults or places of burial, for preventing them from becoming or continuing dangerous or injurious to the public

health. (Sect. 23.)

#### New Powers of Secretary of State.

In all cases where unconsecrated land or buildings may be vested in trustees under Local Acts, or otherwise for the purposes of a cemetery, or where a cemetery is ordered to be closed, the trustees, with the sanction of the Secretary of State, may let, lease, or sell the portions thereof which have not received interments. (Sect. 24.)

Section 25 confers a new and important power upon the Secretary of State. Except in cases where a body is removed from one consecrated place of burial to another, it shall not be lawful to remove any such body without license

under the hand of the Secretary of State with such precautions as the conditions of such license, as he may prescribe, as the condition of such license. Any person removing a body contrary to this enactment, or disobeys such prescribed precautions shall, for every such offence, pay a sum not exceeding £10.

### Resolutions of Vestry, &c.

Where eligible land is adjoining any cemetery ordered to be closed is considered eligible for the purposes of burial, a Burial Board may purchase such enclosed cemetery and the buildings thereon, with the approval of vestry. Provided such Orders in Council shall remain in full force

in relation to such cemetery. (Sect. 26.)

No resolutions of vestry for the purposes of this Act shall be void or voidable by reason of irregularity in the notice of such vestry or meeting, unless notice in writing of such defect or irregularity, or error, shall have been given at such vestry or meeting, or within seven days thereof, to the churchwardens or others, whose duty it is to call such meeting, who shall call another meeting, but in the event of such notice not being given, such resolution shall not be deemed invalid by reason of any such defect, irregularity, or error. (Sect. 27.)

The term "Burial Board" means "Burial Boards" constituted under this and all other recited Burial Acts. (Sect. 28.) Section 29 explains the constructions to be put upon the expression "Borough," and the construction of certain other expressions used in the 17th and 18th Vict., cap. 87.

The thirtieth section enacts that the hereinbefore recited Acts, and this Act, shall be construed together as one Act.

## APPENDIX.

15 & 16 VICT., CAP. 85.

# AN ACT

TO AMEND THE LAWS CONCERNING THE BURIAL OF THE DEAD IN THE METROPOLIS.

1st JULY, 1852.

WHEREAS it is expedient to repeal "The Metropolitan 13 and 14 Interments Act, 1850," and to make such other provision Vict., c. 52. as herein-after mentioned in relation to interments in and near the metropolis: Be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

I. The said Act shall be repealed: Provided always, 13 and 14 that it shall be lawful for Her Majesty to continue during Vict., c. 52, the continuance of the General Board of Health the ap- repealed, & pointment of the additional member of such board autho- HerMajesty rized by the said Act, and the salary of such member, fixed may continue addias in the said Act mentioned, shall be paid as by section 7, tional Memof the Public Health Act, 1848, is directed concerning the ber of Board salaries therein mentioned.

therein authorized.

II. In case it appear to Her Majesty in Council, upon On reprethe representation of one of Her Majesty's Principal Secresentation of taries of State, that for the protection of the public health Secretary of burials in any part or parts of the metropolis, or in any State, Her burial grounds or places of burial in the metropolis, should Majesty in Council be wholly discontinued, or should be discontinued subject may order to any exception or qualification, it shall be lawful for discon-Her Majesty, by and with the advice of Her Privy Countinuance of Burials in cil, to order that after a time mentioned in the order any part of burials in such part or parts of the metropolis or in such the Metroburial grounds or places of burial shall be discontinued polis. wholly, or subject to any exceptions or qualifications mentioned in such order, and so from time to time as circum-

stances may require; provided that notice of such representation, and of the time when it shall please Her Majesty to order the same to be taken into consideration by the Privy Council, shall be published in the London Gazette. and shall be affixed on the doors of the churches or chapels of the parishes in which any burial grounds or places of burial affected by such representation shall be situate, or on some other conspicuous places within the part or parts of the metropolis affected by such representation, one calendar month, or where any order made under "The Nuisances Removal and Diseases Prevention Act, 1848," directing the provisions of that Act for the prevention of epidemic, endemic, and contagious diseases to be put in force, is in force within such part or parts, then seven days at the least before such representation is so considered: Provided always, that no such representation shall be made in relation to the burial ground of any parish until ten days previous notice of the intention to make such representation shall have been given to the incumbent and the vestry clerk of such parish.

Order not to extend to Burial Grounds of Quakers or Jews, unless expressly included.

III. No such Order in Council as aforesaid shall be deemed to extend to any burial ground of the people called Quakers, or of the persons of the Jewish persuasion, used solely for the burial of the bodies of such people and persons respectively, unless the same be expressly mentioned in such order; and nothing in this Act shall prevent the burial in any such burial ground in which for the time being interment is not required to be discontinued of the bodies of such people and persons respectively; and no such Order in Council as aforesaid shall be deemed to extend to any non-parochial burial ground being the property of any private person, unless the same be expressly mentioned in such order.

Burial not after Order in Council for discontinuance.

IV. It shall not be lawful, after the time mentioned in to take place any such Order in Council for the discontinuance of burials, to bury the dead in any church, chapel, churchyard, or burial place, or elsewhere, within the part or parts of the metropolis or in the burial grounds or places of burial (as the case may be) in which burials have by any such order been ordered to be discontinued, except as in this Act or in such order excepted; and every person who shall, after such time as aforesaid, bury any body, or in anywise act or assist in the burial of any body, contrary to this enactment, shall be guilty of a misdemeanor.

Restriction as to place of Burial of Inhabitants of Parishes the Burial

V. After the time from which burials in any place of burial of any parish are required under this Act to be discontinued, the body of any parishioner or inhabitant of such parish shall not be buried in any burial ground within the metropolis belonging to any other parish within the

metropolis, save where the body of any of the family or Grounds relatives of such parishioner or inhabitant has been interred whereof are closed. in such burial ground, and the relatives or other persons having the care and direction of the funeral signify a desire that on that account the body of such parishioner or inhabitant should be there interred (such burial ground not being a burial ground in which burials have been ordered to be discontinued under this Act), and save as herein otherwise provided; and every person having the care or control of any burial ground who knowingly authorizes or permits any burial therein contrary to this enactment shall be guilty of a misdemeanor.

VI. Provided always, that notwithstanding any such Saving of Order in Council, where by virtue of any faculty legally certain granted, or by usage or otherwise, there is at the time of bury in the passing of this Act any right of interment in or under vaults, &c. any church or chapel affected by such order, or in any vault of any such church or chapel, or of any churchyard or burial ground affected by such order, and where any exclusive right of interment in any such burial ground has been purchased or acquired before the passing of this Act, it shall be lawful for one of Her Majesty's Principal Secretary's of State from time to time, on application being made to him, and on being satisfied that the exercise of such right will not be injurious to health, to grant licence for the exercise of such right during such time and subject to such conditions and restrictions as such Secretary of State may think fit, but such licence shall not prejudice or in anywise affect the authority of the Ordinary, or of any other person who, if this Act had not been passed, might have prohibited or controlled interment under such right, nor dispense with any consent which would have been required, nor otherwise give to such right any greater force or effect than the same would have had if this Act had not been passed.

VII. The provisions of this Act shall not extend to Saving as to authorize the discontinuance of burials, or to prevent Cemeteries in schedule the burial of the body of any person in any of the ceme- B and teries mentioned in the schedule B to this Act, or in new Burial any burial ground or cemetery to be hereafter provided Grounds with the approval of one of Her Majesty's Principal hereafter approved of Secretaries of State, as herein mentioned.

by Secretary

VIII. Nothing in this Act contained shall extend to Saving as to prevent the interment in the cathedral church of Saint St. Paul's Paul's, London, or in the collegiate church of Saint Peter's Cathedral Westminster, of the body of any person, where Her Majesty, minster by any writing under Her Royal Sign Manual, shall Abbey. signify Her pleasure that the body be so interred.

New Burial

IX. No new burial ground or cemetery (parochial or Grounds in nonparochial) shall be provided and used in the metropolis, polis to be or within two miles of any part therof, without the approved by previous approval of one of Her Majesty's Principal Secretary of Secretaries of State.

Churchwardens, after Order, or at any time, upon requisition of ten ratepayers, to convene Vestry Meeting to determine whether a Burial Ground shall be provided.

X. Upon the requisition in writing of ten or more ratepayers of any parish in the metropolis in which the place or places of burial shall appear to such ratepayers insufficient or dangerous to health (and whether any Order in Council in relation to any burial ground in such parish has or has not been made), the churchwardens or other persons to whom it belongs to convene meetings of the vestry of such parish shall convene a meeting of the vestry, for the special purpose of determining whether a burial ground shall be provided under this Act for the parish; and public notice of such vestry meeting, and the place and hour of holding the same, and the special purpose thereof, shall be given in the usual manner in which notices of the meetings of the vestry are given, at least seven days before holding such vestry meeting; and if it be resolved by the vestry that a burial ground shall be provided under this Act for the parish, a copy of such resolution, extracted from the minutes of the vestry, and signed by the chairman, shall be sent to one of Her Majesty's Principal Secretaries of State.

In case Vestry agree to provide a Burial Ground, appointed.

XI. In case of such resolution as aforesaid, the vestry shall appoint not less than three nor more than nine persons, being ratepayers of the parish, to be the Burial Board of such parish, of whom one-third, or as nearly as may be one-third (to be determined among themselves), Board, to be shall go out of office yearly, at such time as shall be from time to time fixed by the vestry, but shall be eligible for immediate re-appointment: Provided always, that the incumbent of the parish shall be eligible to be appointed and re-appointed from time to time as one of the members of the said board, although not a ratepayer of the parish; provided also, that any member of the board may at any time resign his office, on giving notice in writing to the churchwardens or persons to whom it belongs to convene meetings of the vestry.

Resignation of Members.

Vacancies to XII. Any vacancies in the board may be filled up by be filled up the vestry when and as the vestry shall think fit. by Vestry.

Meetings of the Board.

XIII. The board shall meet at least once in every month at their office, or some other convenient place previously publicly notified, and the said board may meet at such other time as at any previous meeting shall be determined upon; and it shall be at all times competent for any two members of the board, by writing under their hands, to

summon, with at least forty-eight hours notice, the board for any special purpose mentioned in such writing, and to meet at such time as shall be appointed therein.

XIV. At all meetings of the board any number not less Quorum of than three members of such board shall be a sufficient Meetings of number for transacting business, and for exercising all the powers of the board.

XV. The board shall appoint, and may remove at plea- Board may sure, a clerk and such other officers and servants as shall be appoint and remove necessary for the business of the board and for the purposes Officers, &c. of their burial ground, and, with the approval of the vestry, may appoint reasonable salaries, wages, and allowances for such clerk, officers, and servants, and, when necessary, may hire and rent a sufficient office for holding their meetings and transacting their business.

XVI. Entries of all proceedings of the board, with the Minutes of names of the members who attend each meeting, shall be proceedings made in books to be provided and kept for that purpose, be entered under the direction of the board, and shall be signed by in a book. the members present or any two of them; and all entries purporting to be so signed shall be received as evidence, without proof of any meeting of the board having been duly convened or held, or of the presence at any such meeting of the persons named in any such entry as being present thereat, or of such persons being members of the board, or of the signature of any person by whom any such entry purports to be signed, all which matters shall be presumed until the contrary be proved; and the board keep acshall provide and keep books in which shall be entered counts, true and regular accounts of all sums of money received which shall and paid for or on account of the purposes of this Act in be open to the parish, and of all liabilities incurred by them for such inspection. purposes, and of the several purposes for which such sums of money are paid and such liabilities incurred.

XVII. All such books shall at all reasonable times be Penalty for open to the examination of every member of such board, refusing to churchwarden, overseer, and ratepayer, without fee or inspection. reward, and they respectively may take copies of or extracts from such books, or any part thereof, without paying for the same; and in case the members of such board, or any of them, or any of the officers or servants of such board having the custody of the said books, being thereunto reasonably requested, refuse to permit or do not permit any churchwarden, overseer, or ratepayer to examine the same, or take any such copies or extracts, every such member, officer, or servant so offending shall for every such offence, upon a summary conviction thereof before any justice of the peace, forfeit any sum not exceeding five pounds.

Auditors to be appointed yearly who shall examine the Accounts, and report

XVIII. The vestry shall yearly appoint two persons, not being members of the board, to be auditors of the accounts of the board, and at such time in the month of March in every year as the vestry shall appoint the board shall produce to the auditors their accounts, with sufficient vouchers for all moneys received and paid, and the auditors to Vestries, shall examine such accounts and vouchers, and report thereon to the vestry.

Expenses to be paid out of the poor rate.

XIX. The expenses incurred or to be incurred by the Burial Board of any parish in carrying this Act into execution shall be chargeable upon and paid out of the rates for the relief of the poor of such parish; the expenses to be so incurred for or on account of any parish in providing and laying out a burial ground under this Act and building the necessary chapel or chapels thereon not to exceed such sum as the vestry shall authorize to be expended for such purpose; and the overseers or other officers authorized to make and levy rates for the relief of the poor in any parish shall, upon receipt of a certificate under the hands of such number of members of the Burial Board as are authorized to exercise the powers of the board of the sums required from time to time for defraying any such expenses as aforesaid, pay such sums out of the rates for the relief of the poor as the board shall direct.

Power to borrow money with sanction of approval of the Treasury.

XX. Provided always, That it shall be lawful for the board, with the sanction of the vestry and the approval of the Commissioners of Her Majesty's Treasury, to borrow Vestry, and any money required for providing and laying out any burial ground under this Act, and building a chapel or chapels thereon, or any of such purposes, and to charge the future poor rates of the parish with the payment of such money and interest thereon; provided that there shall be paid in every year, in addition to the interest of the money borrowed and unpaid, not less than onetwentieth of the principal sum borrowed, until the whole is discharged.

The Public Works Loan Commissioners may advance money for the pur-Act.

XXI. The Commissioners for carrying into execution an Act of the Session holden in the fourteenth and fifteenth years of Her Majesty, chapter 23, "to authorize for a "further period the advance of money out of the Consoli-"dated Fund to a limited amount for carrying on public "works and fisheries and employment of the poor," and poses of this any Act or Acts amending or continuing the same, may from time to time make to the Burial Board of any parish for the purposes of this Act any loan under the provisions of the recited Act, or the several Acts therein recited or referred to, upon security of the rates for the relief of the poor of the parish.

XXII. The money raised for defraying such expenses,

Moneys

and the income arising from the burial ground provided raised, and for the parish, except fees payable to the incumbent, clerk, the income arising and sexton of the parish, and the other fees herein directed from Burial to be otherwise paid, shall be applied by the board in or Ground to towards defraying the expenses of such board under this Act; be applied and whenever, after repayment of all moneys borrowed for defraying the purposes of this Act in or for any parish and the interest expenses. thereof, and after satisfying all the liabilities of the board with reference to the execution of this Act in or for the parish, and providing such a balance as shall be deemed by the board sufficient to meet their probable liabilities during the then next year, there shall be at the time of holding the meeting of the vestry at which the yearly report of the auditors shall be produced any surplus money at the disposal of the board, they shall pay the same to the overseers, in aid of the rate for the relief of the poor of the parish.

XXIII. The vestries of any parishes which shall have vestries of respectively resolved to provide burial grounds under this Parishes Act may concur in providing one burial ground for the may concur common use of such parishes, in such manner, not inconing a Burial sistent with the provisions of this Act, as they shall mutu- Ground for ally agree, and may agree as to the proportions in which the common the expenses of such burial ground shall be borne by such use of such Parishes. parishes, and the proportion for each of such parishes of such expenses shall be chargeable upon and paid out of the moneys to be raised for the relief of the poor of the same respective parish accordingly; and, according and subject to the terms which shall have been so agreed on, the Burial Boards appointed for such parishes respectively shall, for the purpose of providing and managing such one burial ground, and taking and holding land for the same, act as one joint Burial Board for all such parishes, and may have a joint office, clerk, and officers, and all the provisions of this Act shall apply to such joint Burial Board accordingly; and the accounts and vouchers of such board shall be examined and reported on by the auditors of each of such parishes; and the surplus money at the disposal as aforesaid of such board shall be paid to the overseers of such parishes respectively in the same proportions as those in which such parishes shall be liable to such expenses.

XXIV. For the more easy execution of the purposes of Incoorporathis Act the Burial Board of every parish appointed under tion of Buthis Act shall be a body corporate, by the name of "The rial Boards. Burial Board for the parish of ," and by that name shall have perpetual succession and a common seal, and shall sue and be sued, and have power and authority (without any license in mortmain) to take, purchase, and hold land for the purposes of this Act; and where the Burial Boards

of two or more parishes act as and form one joint Burial Board for all such parishes for the purposes aforesaid, such joint board shall for such purposes only be a body corporate by the name of "The Burial Board for the parishes in the county of ," and by that name shall have per-

petual succesion and a common seal, and shall sue and be sued and have power and authority as aforesaid to take, purchase, and hold land for the purposes of this Act.

Board to provide a Burial Ground, which may Parish.

XXV. Every Burial Board shall, with all convenient speed, proceed to provide a burial ground for the parish or parishes for which they are appointed to act, and to make arrangements for facilitating interments therein; and in be within or providing such burial ground the board shall have reference without the to the convenience of access thereto, from the parish or parishes for which the same is provided; and any such burial ground may be provided either within or without the limits of the parish, or all or any of the parishes, for which the same is provided; but no ground not already used as or appropriated for a cemetery shall be appropriated as a burial ground, or as an addition to a burial ground, under this Act, nearer than two hundred yards to any dwelling house without the consent in writing of the owner, lessee, and occupier of such dwelling house.

Board may, with approval of Vestry, purchase land of

XXVI. For the providing such burial ground it shall be lawful for the Burial Board, with the approval of the vestry or vestries of the parish or respective parishes, to contract for and purchase any lands for the purpose of forming a burial ground, or for making additions to any Cemeteries. burial ground to be formed or purchased under this Act, as such board may think fit, or to purchase from any company or persons entitled thereto any cemetery or cemeteries, or part or parts thereof, subject to the rights in vaults and graves, and other subsisting rights, which may have been previously granted therein: Provided always, that it shall be lawful for such board, in lieu of providing any such burial ground, to contract with any such company or persons entitled as aforesaid for the interment in such cemetery or cemeteries, and either in any allotted part of such cemetery or cemeteries or otherwise, and upon such terms as the Burial Board may think fit, of the bodies of persons who would have had rights of interment in the burial grounds of such parish or respective parishes.

Certain provisions of 8 & 9 incorporated with

XXVII. "The Lands Clauses Consolidation Act, 1845," except the provisions of that Act "with respect to the pur-"chase and taking of lands otherwise than by agreement," Vict., c. 18, " with respect to the recovery of forfeitures, penalties, and "costs," "with respect to lands acquired by the promoters

" of the undertaking under the provisions of the 'Lands this Act.

"Clauses Consolidation Act, 1845,' or the special Act, or "any Act incorporated therewith, but which shall not be " required for the purposes thereof," and "with respect to "the provision to be made for affording access to the "Special Act by all parties interested," shall be incorporated with this Act; and for the purposes of this Act the expression "the promoters of the undertaking," wherever used in the said lands Clauses Consolidation Act, shall mean any such Burial Board.

XXVIII. It shall be lawful for any such board, with the Power to approval of the vestry, to sell and dispose of any lands sell lands purchased by them under this Act, or any part thereof, in not wanted. which no interment shall have taken place, and which it may appear to the board may be properly sold or disposed of; and for completing and carrying any such sale into effect such board may make and execute a conveyance of the lands sold and disposed of as aforesaid unto the purchaser, or as he shall direct; and such conveyance shall be under the hands of at least two of the members of the board, and under the seal of the board; and the word "grant" in such conveyance shall have the same operation as by the said Lands Clauses Consolidation Act, 1845, is given to the same word in a conveyance of lands made by the promoters of the undertaking; and a receipt under the hands of two of the members of the board shall be a sufficient discharge to the purchaser of any such lands for the purchase money in such receipt expressed to be received; and the money to arise from such sale shall be applied to such of the purposes of this Act as the board shall think

XXIX. Provided always, That any Burial Board under Burial this Act, with the approval of the vestry and of the guar- Board may, dians of the poor of the parish (if any), and of the Poor with ap-Law Board, may from time to time appropriate for the Vestry, &c., purposes of a burial ground for such parish, either alone appropriate or jointly with any other parish or parishes, any land land bevested in such guardians, or in the churchwardens, or in Parish. the churchwardens and overseers of the parish, or in any feoffees, trustees, or others, for the general benefit of the parish, or for any specific charity: Provided always, that where any land so taken and appropriated shall be subject to any charitable use, such lands shall be taken on such conditions only as the Court of Chancery in the exercise of its jurisdiction over charitable trusts shall appoint and direct.

XXX. It shall be lawful for any Burial Board to lay Board may out and embellish any burial ground provided by such lay out Buboard in such manner as may be fitting and proper, and to rial Ground Chapel, for performance of Burials according to rites of Church.

Ground may be set apart for building a

and build a build on any land to be purchased or appropriated for a burial ground under this Act, and according to a plan to be approved of by the bishop of the diocese, a chapel for the performance of the burial service according to the rites of the United Church of England and Ireland; and Established such burial ground may be consecrated by the bishop of the diocese, when the same shall appear to him to be in a fit and proper condition, for the purposes of interment according to the rites of the United Church: Provided always, that in providing any burial ground such board shall set apart a portion thereof which shall not be so Chapel, &c. consecrated as aforesaid, and may build thereon a suitable chapel or chapels for the performance of funeral service.

Burial Board may done.

XXXI. Any Burial Board may from time to time enter contract for into any contract with any persons or companies for works to be building any chapel or chapels as aforesaid, and inclosing, laying out, and embellishing any burial ground, and for furnishing any materials and things, and for executing and doing any other works and things necessary for the purposes of this Act; which contracts respectively shall specify the several works and things to be executed, furnished, and done, and the prices to be paid for the same, and the times when the works and things are to be executed, furnished, and done, and the penalties to be suffered in cases of nonperformance; and all such contracts, or true copies thereof, shall be entered in books to be kept No contract for that purpose: Provided always, that no contract above the value or sum of one hundred pounds shall be entered into by such Burial Board, for the purposes of this Act, unless previous to the making thereof fourteen days notice shall be given in one or more of the public newspapers published in the county or counties in which the parish or respective parishes shall be situated, expressing the intention of entering into such contract, in order that any person willing to undertake the same may make proposals for that purpose, to be offered to the Burial Board at a certain time and place in such notice to be mentioned, but it shall not be incumbent on the Burial Board to contract with the person offering the lowest price.

above £100 to be entered into without notice.

Burial Ground to of the Parish or Parishes for which it is provided.

XXXII. From and after the consecration as aforesaid of any burial ground provided under this Act (except any rial Ground portion thereof intended not to be so consecrated), or where all or any part of such burial ground, by reason of the same having been already consecrated, shall not require to be consecrated, then from and after such time as the bishop of the diocese shall appoint, such burial ground shall be deemed the burial ground of the parish for which the same is provided, and where the same is provided for two or more parishes such burial ground shall be in law as if such parishes were one parish, and as if such burial ground were the burial ground of such one parish; and every incumbent or minister of the parish or of each of the parishes (as the case may be) for which such burial ground is provided shall, by himself and his curate, or such duly qualified persons as such incumbent or minister may authorize, perform the duties and have the same rights and authorities for the performance of religious service in the burial in such burial ground, or in the consecrated portion thereof, of the remains of parishioners or inhabitants of the parish of which he is such incumbent or minister, and shall be entitled to receive the same fees in respect of such burials which he has previously enjoyed and received; and the clerk and sexton of such parish or of each of such parishes shall (when necessary) perform and exercise the same duties and functions in respect of the burial of the remains of parishioners or inhabitants of the parish of which he is clerk or sexton in such burial ground or the consecrated portion thereof, and shall be entitled to receive the same fees on such burials as he has previously performed and exercised and received, as if such burial ground were the burial ground of the respective parish of such incumbent or minister, clerk and sexton respectively; and the parishioners and inhabitants of such parish or of each of such parishes shall have the same rights of sepulture in such burial ground as they respectively would have had in the burial ground or burial grounds in and for their respective parish, subject nevertheless to the provisions herein contained.

XXXIII. Any Burial Board, under such restrictions Board may and conditions as they think proper, may sell the exclusive rights of buriel either in powerfulty or for a limited sive rights sive right of burial, either in perpetuity or for a limited of burial period, in any part of any burial ground provided by such vaults, and Board, and also the right of constructing any vault or right to place of burial with the exclusive right of burial therein ments. in perpetuity or for a limited period, and also the right of erecting and placing any monument, gravestone, tablet. or monumental inscription in such burial ground, but there shall be payable to the incumbent or minister of the parish out of the fees or payments to be paid in respect of any rights acquired under this enactment in the consecrated part of such burial ground (in lieu of the fees or sums which he would have been entitled to on the grant of the like rights in the burial ground of his parish) such fees or sums as shall be settled and fixed by the vestry with the approval of the bishop of the diocese, or if no such fees or sums shall have been so settled then such fees as he would by law or custom have been entitled to on the grant of the like rights in the burial ground of his parish.

XXXIV. Every Burial Board under this Act shall and Board to may (without prejudice to the fees and payments herein fix payments for interments in Burial Ground, and for exclusive right of burial vaults, and right to erect monuments.

specially provided for) fix and settle and receive such fees and payments in respect of interments in any burial ground provided by such board as they shall think fit, and also the sums to be paid for the exclusive right of burial, either in perpetuity or for a limited period, in any burial ground provided by such board, and also the right of constructing any vault or place of burial with the exclusive right of burial therein in perpetuity or for a limited period, and also the right of erecting and placing any monument, gravestone, tablet, or monumental inscription in such burial ground, and every Burial Board, with the consent of the vestry, may from time to time revise and alter such fees, payments, and sums as aforesaid; and a table showing such fees, payments, and sums, and all other fees and payments in respect of interments in such ground, shall be printed and published, and shall be affixed and at all times continued on some conspicuous part of such burial ground.

Division of fees between Incumbents of Parishes and Ecclesiastical District, XXXV. Where at the time of the discontinuance of interment in any burial ground the fees in respect of burials therein are divided between the incumbent of the parish and the incumbent of any district parish or other ecclesiastical district, each incumbent shall have the same proportion of the fees in the burial ground to be provided under this Act as he was entitled to in respect of interments in the old burial ground.

Fees payable to Churchwardens and others for parochial purposes.

XXXVI. Where fees or any portion of fees payable on interments, or for any monument, gravestone, tablet, or monumental inscription, in the burial ground of any parish for which a burial ground is provided alone or jointly with any other parish or parishes under this Act, are by law or custom payable to the churchwardens of any parish, or to trustees or other persons, for or towards the payment of any annuity or stipend to the incumbent or minister, or any other parochial purpose, or the discharge of any debt or liability, such fees or portion of fees shall be payable in the burial ground to be provided as aforesaid for such parish under this Act, and shall be received by the Burial Board and paid to the parties entitled to receive the same; and where fees or payments have been received on interments, or for any monument, gravestone, tablet, or monumental inscription, in the burial ground, of any such parish by any such churchwardens, or by trustees or other persons, for the purpose of discharging any periodical payment or other liability, it shall be lawful for the Burial Board, upon the request of such churchwardens, trustees, or persons, to pay from time to time, out of the fees and moneys received by them on account of such parish, such amount as may be necessary for discharging such periodical payment or liability.

XXXVII. It shall be lawful for the vestry of any parish Power to from time to time, if they think fit, with the consent of Vestry, the bishop of the diocese, to revise and vary the fees paya- sent of ble to the incumbent, clerk, and sexton, and other persons Bishop, to and bodies respectively, under the provisions of this Act, revise the or, with such consent as aforesaid, to substitute for the fees to Incumbent, fees payable to such incumbent, clerk, and sexton, and &c., or to other persons and bodies respectively, a fixed annual sum substitute of such amount as to such vestry may seem just, to be a fixed paypayable by such periodical payments as such vestry may appoint, and in such last-mentioned case the fees which would otherwise be payable under this Act to the incumbent, clerk, and sexton, and such other persons and bodies respectively, shall be paid to the Burial Board, and such fixed payments as aforesaid shall be paid by such board.

XXXVIII. The general management, regulation, and Managecontrol of the burial grounds provided under this Act shall, ment to be subject to the provisions of this Act and the regulations Burial to be made thereunder, be vested in and exercised by the Boards. respective Burial Boards providing the same; provided that any question which shall arise touching the fitness of any monumental inscription placed in any part of the consecrated portions of such grounds shall be determined by the bishop of the diocese.

XXXIX. Where a burial ground is provided under this Arrange-Act for the common use of two or more parishes, in case ments beany question arise among the incumbents of such parishes tween the as to the performance of the Burial Service by a Chaplain of Parishes, to be paid by means of contributions from such incumbents, or deductions from fees or sums payable to them, or otherwise touching the performance of service in the consecrated part of such ground, the bishop of the diocese shall from time to time confirm any arrangement which a majority, or in case of equal numbers, one half of the incumbents shall approve, and such arrangement so confirmed shall be binding upon all the parties concerned.

XL. The provision of "The Cemeteries Clauses Act, Certain pro-1847," with respect to the protection of the cemetery, visions of 10 & 11 Vict. c. shall be incorporated with this Act, and be applicable to 65, incorpoany burial ground provided under this Act.

rated with this Act.

XLI. Any Burial Board may make such arrangements Boards may as they may from time to time think fit for facilitating the make arconveyance of the bodies of the dead from the parish or rangements the place of death to the burial ground which shall be ting the provided under this Act, or to any other place of burial, conveyance subject to the provisions of this Act, and the regulations of bodies to to be made thereunder, and it shall be lawful for any of Grounds.

the aforesaid cemetery companies to undertake any such arrangement, and to carry the same into effect, subject to the provisions and regulations as aforesaid.

Places may for reception of bodies until interment.

XLII. It shall be lawful for any Burial Board, with be provided the approval of the vestry, and subject to the provisions of this Act, and the regulations to be made thereunder, and for the churchwardens and overseers of the poor of any parish in the metropolis for which a Burial Board shall not have been appointed under this Act, by the direction of the vestry, and subject as aforesaid, to hire, take on lease, or otherwise to provide fit and proper places in which bodies may be received and taken care of previously to interment, and to make arrangements for the reception and care of the bodies to be deposited therein, and for providing such places such Burial Boards may exercise the powers vested in them under this Act for providing burial grounds; and such churchwardens and overseers may exercise all such powers as, under the Act of the fiftyninth year of King George the Third, chapter 12, or otherwise, the churchwardens and overseers of any parish not having a workhouse might exercise for providing a workhouse for such parish.

The Comthe City of London to Board for the Parishes in

XLIII. The provisions herein before contained for the missioners appointment of Burial Boards shall not apply to any parish of Sewers of within the limits of the City of London and the liberties thereof; but it shall be lawful for the Mayor, Aldermen, be a Burial and Commons of the said City, in Common Council assembled, if and when they see fit so to do, to authorize and direct the Commissioners of Sewers of the City of London the City and to exercise for the said city and liberties all the powers and its Liberties authorities vested in Burial Boards under this Act; and thereupon such commissioners shall have and exercise for and on behalf of the said city and liberties all such powers and authorities as are hereby vested in the Burial Board for any parish, or which might be exercised by such board with the approval of the vestry; but the expenses to be incurred by such commissioners in providing and laying out any burial ground or burial grounds under this Act, and building the necessary chapel or chapels therein, shall not exceed such sum as the said Mayor, Aldermen, and Commons in Common Council assembled shall authorize to be expended for this purpose; and the money required for defraying the expenses incurred under this Act by the said commissioners shall be charged upon and payable out of the consolidated rate authorized to be made by "The City of London Sewers Act, 1848," or any moneys applicable for defraying the expenses by the said Act charged upon or payable out of such rate; and the income of any burial ground provided under this Act by such commissioners, which if such ground had been provided by a Burial Board for any parish

would be applicable in aid of the rate for the relief of the poor of such parish, shall be applicable in aid of the said consolidated rate; and the provisions contained in "The City of London Sewers Act, 1848," for the purpose (as therein expressed) of enabling the said commissioners to effect the purchases therein authorized shall be applicable for the purpose of enabling the said commissioners to purchase land for the purposes of this Act; and the powers for and auxiliary to the sale and disposal of land given or expressed to be given by "The City of London Sewers Act, 1848," and "The City of London Sewers Act, 1851," with respect to land purchased by the said commissioners for any of the purposes mentioned in such last-mentioned Act, and deemed by them unnecessary for such purposes, shall be applicable with respect to any land purchased by the said commissioners for the purposes of this Act which may not appear to them to be wanted for such purposes; and all the provisions of the said City of London Sewers Acts applicable to the exercise of the powers vested in the said commissioners shall be applicable to and for the purposes of this Act, as if the powers which under this Act may become vested in such commissioners had been powers vested in them under the said "City of London Sewers Act, 1848;" provided that it shall be lawful for the said Mayor, Aldermen, and Commons to appoint any incumbent or incumbents of any parish or parishes within the said city or liberties to act with the said commissioners for the purposes of this Act.

XLIV. It shall be lawful for one of Her Majesty's Secretary of Principal Secretaries of State from time to time to make State may such regulations in relation to the burial grounds and lations as places for the reception of bodies previously to interment to Burial which may be provided under this Act as to him may seem Grounds, proper, for the protection of the public health and the &c. maintenance of public decency, and the Burial Boards and all other persons having the care of such burial grounds and places for the reception of bodies shall conform to and obey such regulations.

XLV. And whereas the General Board of Health have, Brompton under the powers of the said Metropolitan Interments Act, Cemetery 1850, taken proceedings for the purchase of the cemetery vested in Commiscopy of the West of London and Westminster Comptons Commiscopy of the West of London and Westminster Comptons Commiscopy of the West of London and Westminster Comptons Commiscopy of the West of London and Westminster Comptons Commiscopy of the Commiscopy of the West of London and Westminster Commiscopy of the West of London and Westminster Cemetery Com- sioners of pany (commonly called the Brompton Cemetery), and Works. the amount of the purchase money has been ascertained by arbitration, but such purchase may not have been completed at the time of the passing of this Act:

In case at the time of the passing of this Act the said cemetery has not been conveyed to the General Board of Health, the rights and obligations of the General Board of Health with reference to the purchase of the said cemetery shall upon the passing of this Act become transferred to the Commissioners of Her Majesty's Works and Public Buildings; and in case the said cemetery shall be conveyed to them by virtue of ther transfer hereby made of such rights and liabilities, then immediately upon such cemetery being so conveyed, or in case at the time of the passing of this Act the said cemetery has been conveyed to the General Board of Health, then from and after the passing of this Act the said cemetery shall, without any further conveyance, become vested in the said Commissioners of Her Majesty's Works and Public Buildings, and their successors, in the like corporate capacity in which any lands, tenements, or hereditaments are vested in them under the Act of this last Session of Parliament, chapter 42, but subject to the rights to graves, vaults, and monuments subject to which such cemetery may have been conveyed to such commissioners or to the General Board of Health, as the case may be, and subject to the powers and for the purposes herein-after mentioned.

Money auunder 14 & 15 Vict., c. 89, may be applied in completing the purchase. of the Brompton Cemetery.

XLVI. And whereas by an Act of the last Session of thorized to Parliament, chap. 89, the Commissioners of Her Majesty's be advanced Treasury are authorized to cause to be issued and advanced to the General Board of Health, out of the produce of the consolidated fund of the United Kingdom, a sum or sums not exceeding in the whole one hundred and thirty-seven thousand pounds, to be applied to the purposes to which money borrowed by the said Metropolitan Interments Act, is by the said Act made applicable:

> It shall be lawful for the Commissioners of Her Majesty's Treasury to cause to be advanced or issued to and applied by the Commissioners of Her Majesty's Works and Public Buildings, out of the said consolidated fund, such part of the said sum of one hundred and thirty-seven thousand pounds as the said Commissioners of Her Majesty's Treasurv may think fit for the completion of the purchase of the said Brompton Cemetery, in case such purchase shall not have been completed at the time of the passing of this Act, and for the care and management of the said cemetery; and the said Commissioners of the Treasury may also cause to be issued and advanced and applied such part of the said sum of one hundred and thirty-seven thousand pounds as the said Commissioners of the Treasury shall think fit in discharge of any liabilities of the said General Board of Health incurred under the powers of the said Metropolitan Interments Act, 1850, without requiring in the cases aforesaid any mortgage to be made for such advances.

XLVII. After payment to the said West of London and

Provision

Westminster Cemetery Company, either by the General foe winding Board of Health or by the Commissioners of Her Majesty's up the West of Works and Public Buildings, of the purchase or considera- London and tion money for the said Brompton Cemetery, the said West Westminof London and Westminster Cemetery Company shall con- ster Cemetinue only for the purpose of winding up the affairs and tery Comrealizing and distributing the assets thereof, and satisfying any debts or engagements to or by the said company, and for the enforcement by law or in equity of such debts or engagements respectively, and the said company, as soon as conveniently may be after the payment of such purchase or consideration money, shall convert into money, by sale or otherwise, the effects of the said company, and get in the debts and assets thereof, and distribute and apportion the moneys thence arising, together with such purchase or consideration money, after satisfying all the debts, engagements, and liabilities of the said company, to and among the several proprietors thereof, according to their respective shares and interests therein; and from and immediately after such distribution and apportionment the said company shall be dissolved, and the receipt of every person who for the time being would have been entitled to give an effectual discharge for any dividends which might have become payable in respect of any share in the said cemetery, or in the capital stock of the said company, in case the said Metropolitan Interments Act and this Act had not been passed, for the proportion of the moneys which under this provision shall become payable in respect of such share, shall be an effectual discharge to the said company and the directors thereof for the same.

XLVIII. The said Commissioners of Works and Public Brompton Buildings shall and may, in case the said Brompton Ceme- Cemetery tery be vested in them by or under this Act, sell and may be sold dispose of the same or any part thereof, subject to the tion of the rights affecting the same, as the Commissioners of Her Treasury, Majesty's Treasury may direct; and in the meantime, and in the until such sale, the Secretary of State may and shall meantime used for permit the same to be used for the purposes of interment, interments. upon such terms and conditions as he shall think fit; and the residue of the moneys arising from the sale and disposal of the said cemetery, or any part thereof, and in respect of the interments therein, after defraying the expenses incident to such sale and to the care and management of the cemetery, until the whole thereof shall be sold and disposed of shall be paid to the Metropolitan Interments Repayments Account mentioned in the said Act of the last Session of Parliament, to be carried to the said consolidated fund.

XLIX. Where any body is buried in any of the ceme- Limiting teries mentioned in schedule B to this Act, at the expense the compen

sation fee to be payable on pauper burials in

of any union or parish, the fee or sum to be paid or payable on the interment of such body, or otherwise in respect thereof, to the incumbent of the parish or ecclesiastical district from which such body is removed for Cemeteries, interment, shall not exceed the sum of one shilling, or where the incumbent now receives in respect of the like burial in the ground of his parish more than one shilling shall not exceed the sum so now received, and in no case shall exceed two shillings and sixpence; and no other fee or sum whatsoever shall be payable in respect of such interment, to or for the use of any persons as an officer of such parish or district, or for or on behalf of such parish or district, anything in any Act mentioned in the said schedule B. or any other Act notwithstanding.

Incumbents compensations to be payable to wardens where the fees on them, and the Incumbents are

L. Where under any local Act fees on interments in any burial ground of any parish in the metropolis are payable to the churchwardens of such parish, or to any the Church- trustees or other persons, for the purpose of enabling them to pay an annuity or stipend to the incumbent or minister, the fees which under this Act, or any Act relating to any burials are cemetery company, would on the interment in the cemenow paid to tery of any company of any body brought from such parish be payable to such incumbent or minister, shall be payable to the said churchwardens, trustees, or persons, not entitled. and any surplus of such fees which may remain in their hands after payment of such annuity or stipend shall be paid to such incumbent or minister.

Power for Incumbent or Churchwardens to convey Chapel.

LI. Where any burial ground in which interment is discontinued under this Act belongs to any parish other than the parish within which the same is locally situate, it shall be lawful for the incumbent and churchwardens of the parish to which such burial ground belongs, with the consent of the vestry, or persons possessing the powers of vestry for ecclesiastical purposes of or in such parish, and of the bishop of the diocese, to convey any chapel belonging to such parish, and situate in or attached to such burial ground, and the site thereof, to any persons named by the incumbent and churchwardens of the parish within which the same is situate, with the consent of the vestry, or persons possessing the powers of vestry of or in such parish for ecclesiastical purposes, and of the said bishop, and upon such trusts for such last-mentioned parish, and subject to such conditions to be performed on behalf of such parish, and with such provision for the appointment of new trustees, as to the said bishop may seem proper; and such conveyance shall be effectual to pass all the estate and interest vested in any persons in trust or in behalf of the parish to which such chapel and the site thereof belong; and after the execution of such conveyance all obligation on such last-mentioned parish, or any trustees or others on

behalf thereof, to repair such chapel, or to pay any stipend to the minister thereof, or otherwise in relation to or in connexion with such chapel, shall cease

LII. In this Act the following words and expressions Interpreshall have the several meanings hereby assigned to them, tation of terms. unless there be something in the subject or context repugnant to such construction; that is to say,

"Parish" shall mean every place having separate overseers of the poor, and separately maintaining its own

"Ratepayers" shall mean the persons for the time being assessed to and paying rates for the relief of the poor

of the parish:

"Incumbent" and "Minister" shall, in respect of any fee made payable to an incumbent or minister under this Act, mean the clergyman who would have been entitled to the fee had the body been buried in the churchyard or burial ground of the parish from which it came, or in the burial ground of the ecclesiastical district in case such district has a burial ground at the passing of this Act, and if any difference shall arise between two or more persons severally claiming to be the incumbent or minister under this provision, such difference shall be determined by the bishop of the diocese:

"Churchwardens" shall mean also chapelwardens, or other persons discharging the duties of churchwardens:

"Overseers" shall mean also any persons authorized and required to make and collect or cause to be collected the rate for the relief of the poor of the parish, and acting instead of overseers of the poor:

"Vestry" shall mean the inhabitants of the parish lawfully assembled in vestry, or for any of the purposes for which vestries are holden, except in those parishes in which there is a select or other vestry elected under an Act of the fifty-ninth year of King George the Third, chapter 12, "to amend the Laws for the relief "of the Poor," or elected under an Act passed in the second year of King William the Fourth, chapter 60, "for the better regulation of Vestries, and for the "appointment of Auditors of Accounts, in certain "Parishes of England and Wales," or elected under the provisions of any local Act of Parliament for the government of any parish by vestries, in which parishes it shall mean such select or other vestry:

"Clerk" shall mean the clerk appointed pursuant to this Act by any Burial Board appointed under this Act.

LIII. For the purposes of this Act, the expression "the Definition metropolis" shall be construed to mean and include the of "the cities and liberties of London and Westminster, the borough of Southwark and the parishes precipets townships and of Southwark, and the parishes, precincts, townships, and places mentioned in the schedule A to this Act.

Saving rights of Cemetery

LIV. Provided always, that nothing in this Act contained shall extend to take away, diminish, alter, or pre-Companies. judice any of the rights, powers, or authorities vested in any of the cemetery companies incorporated under the several Acts mentioned in the said schedule B to this Act, but all such rights, powers, and authorities shall be as good, valid, and effectual as if this Act had not passed.

## SCHEDULE (A.)

The City of London and the liberties thereof, the Inner Temple and Middle Temple, and all other places and parts of places contained within the exterior boundaries of the liberties of the City of London.

#### IN MIDDLESEX.

The City and Liberties of Westminster. The parishes of St. Margaret and St. John the Evangelist.

The parish of St. Martin in the Fields.

The parish of St. George Hanover Square.

The parish of St. James.

The parish of St. Mary-le-Strand, as well within the liberty of Westminster as within the Duchy liberty.

The parish of St. Clement Danes, as well within the liberty of Westminster as within the Duchy liberty.

The parish of St. Paul Covent Garden.

The parish of St. Anne Soho.

Whitehall Gardens (whether the same be parochial or extraparochial).

Whitehall (whether the same be parochial or extra-parochial). Richmond Terrace (whether the same be parochial or extraparochial).

The close of the Collegiate Church of St. Peter.

The parishes of St. Giles in the Fields and St. George Bloomsbury.

The parishes of St. Andrew Holborn and St. George the Martyr.

The liberty of Hatton Garden, Saffron Hill, and Ely Rents.

The liberty of the Rolls. The parish of St. Pancras.

The parish of St. John Hampstead. The parish of St. Marylebone.

The parish of Paddington.

The precinct of the Savoy.

The parish of St. Luke.

The liberty of Glasshouse Yard. The parish of St. Sepulchre

The parish of St. James Clerkenwell, including both districts of St. James and St. John.

The parish of St. Mary Islington.

The parish of St. Mary Stoke Newington.

The Charterhouse.

The parish of St. Mary Whitechapel.
The parish of Christchurch Spitalfields.

The parish of St. Leonard Shoreditch.

The liberty of Norton Folgate. The parish of St. John Hackney.

The parish of St. Matthew Bethnal Green.

The hamlet of Mile End Old Town. The hamlet of Mild End New Town.

The parish of St. Mary Stratford Bow.

The parish of Bromley St. Leonard.

The parish of All Saints Poplar. The parish of St. Anne Limehouse.

The hamlet of Ratcliffe.

The parish of St. Paul Shadwell.

The parish of St. George in the East.

The parish of St. John Wapping. The liberty of East Smithfield.

The precinct of St. Catherine.

The liberty of Her Majesty's Tower of London, consisting of—
The liberty of the Old Artillery Ground.
The parish of Trinity, Minories.

The Old Tower precinct.

The precinct of the Tower within.

The precinct of Wellclose.

The parish of Kensington.

The parish of St. Luke Chelsea. The parish of Fulham. The parish of Hammersmith.

Lincoln's Inn.

New Inn.

Gray's Inn. Staple Inn.

That part of Furnival's Inn in the County of Middlesex.

Ely place.

The parish of Willesden.

#### IN KENT.

The parish of St. Paul Deptford.

The parish of St. Nicholas Deptford.

The parish of Greenwich. The parish of Woolwich.

The parish of Charlton.

The parish of Plumstead.

#### IN SURREY.

The Borough of Southwark.

The parish of St. George the Martyr.

The parish of St. Saviour.

The parish of St. John Horsleydown.
The parish of St. Olave.
The parish of St. Thomas

The parish of Battersea (except the hamlet of Penge).
The parish of Bermondsey.
The parish of Camberwell.
The parish of Clapham.
The parish of Lambeth.
The parish of Newington.
The parish of Putney.
The parish of Streatham.
The parish of Tooting.
The parish of Wandsworth.
The parish of Christchurch.

The hamlet of Hatcham in the parish of Deptford.

The Clink Liberty.

#### SCHEDULE (B.)

The several Cemeteries established under the several Acts hereinafter mentioned, viz.:—

- 2 & 3 W. 4, An Act for establishing a general cemetery for the interc. cx. ment of the dead in the neighbourhood of the metropolis:
- 6 & 7 W. 4, An Act for establishing a cemetery for the interment of the dead southward of the metropolis, to be called the "South Metropolitan Cemetery;"
- 6 & 7 W. 4, c. cxxxvi. An Act for establishing cemeteries for the interment of the dead, northward, southward, and eastward of the metropolis, by a company to be called "The London Cemetery Company:"
- An Act for establishing a cemetery for the interment of the dead westward of the metropolis, by a company to be called "The West of London and Westminster Cemetery Company:" And
- 4 & 5 Vict., c. lxiii. An Act to establish a general cemetery for the interment of the dead, in the parishes of Saint Dunstan, Stepney, and Saint Leonard, Bromley, in the county of Middlesex.

The Victoria Park Cemetery in the parish of Saint Matthew, Bethnal Green, in the county of Middlesex: And the Abney Park Cemetery in the parish of Saint Mary, Stoke Newington, in the county of Middlesex.

AN ACT TO AMEND THE LAWS CONCERNING THE BURIAL OF THE DEAD IN ENGLAND BEYOND THE LIMITS OF OF THE METROPOLIS, AND TO AMEND THE ACT CONCERNING THE BURIAL OF THE DEAD IN THE METROPOLIS.

20th August, 1853.

Whereas an Act was passed in the last Session of Parliament "to amend the Laws concerning the Burial of the 15 and 16 "Dead in the Metropolis," and it is expedient to make Vict., c. 85. better provision for and in relation to burials beyond the limits of the said Act: Be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

I. In case it appear to Her Majesty in Council, upon the On Reprerepresentation of one of Her Majesty's Principal Secretaries sentation of of State, that for the protection of the public health the Secretary of opening of any new burial ground in any city or town, or State, Her within any other limits, save with the previous approval of Majesty in one of such Secretaries of State, should be prohibited, or Council may rethat burials in any city or town, or within any other limits, strain the or in any burial grounds or places of burial, should be wholly opening of discontinued, or should be discontinued subject to any ex- new Burial ception or qualification, it shall be lawful for Her Majesty, Grounds, by and with the advice of Her Privy Council, to order that and order that disconno new burial ground shall be opened in such city or town, tinuance of or within such limits, without such previous approval, or (as Burials in the case may require) that after a time mentioned in the specified order burials in such city or town, or within such limits, or places. in such burial grounds or places of burial, shall be discontinued wholly, or subject to any exceptions or qualifications mentioned in such order, and so from time to time as circumstances may require; provided always, that notice of such representation, and of the time when it shall please Her Majesty to order the same to be taken into consideration by the Privy Council, shall be published in the London Gazette, and shall be affixed on the doors of the churches or chapels of, or on some other conspicuous places within, the parishes affected by such representation, one month before such representation is so considered: provided also, that no such representation shall be made in relation to the burial

ground of any parish until ten days previous notice of the intention to make such representation shall have been given to the incumbent and vestry clerk or churchwardens of such

Order not to extend to Burial Grounds of Quakers or expressly included.

II. No such Order in Council as aforesaid shall be deemed to extend to any burial ground of the people called Quakers. or of the persons of the Jewish persuasion, used solely for the burial of the bodies of such people and persons respec-Jews, unless tively, unless the same be expressly mentioned in such Order; and nothing in this Act shall prevent the burial in any such burial ground in which for the time being interment is not required to be discontinued of the bodies of such people and persons respectively; and no such Order in Council as aforesaid shall be deemed to extend to any nonparochial burial ground being the property of any private person, unless the same be expressly mentioned in such Order.

Burial not to take place after Order in Council for discontinuance.

III. It shall not be lawful, after the time mentioned in any such Order in Council for the discontinuance of burials, to bury the dead in any church, chapel, churchyard, or burial place, or elsewhere, within the parts to which such Order extends, or in the burial grounds or places of burial (as the case may be) in which burials have by any such Order been ordered to be discontinued, except as in this Act or in such Order excepted; and every person who shall, after such time as aforesaid, bury any body, or in anywise act or assist in the burial of any body, contrary to this enactment, shall be guilty of a misdemeanor.

Saving of certain rights to bury in Vaults, &c.

IV. Provided always, That notwithstanding any such Order in Council, where by virtue of any faculty legally granted, or by usage or otherwise, there is at the time of the passing of this Act any right of interment in or under any church or chapel affected by such Order, or in any vault of any such church or chapel, or of any churchyard or burial ground affected by such Order, and where any exclusive right of interment in any such burial ground has been purchased or acquired before the passing of this Act, it shall be lawful for one of Her Majesty's Principal Secretaries of State from time to time, on application being made to him, and on being satisfied that the exercise of such right will not be injurious to health, to grant license for the exercises of such right during such time and subject to such conditions and restrictions as such Secretary of State may think fit, but such license shall not prejudice or in anywise affect the authority of the ordinary, or any other person who, if this Act had not been passed, might have prohibited or controlled interment under such right, nor dispense with any consent which would have been required, nor otherwise give to such right any greater force or effect than the same would have had if this Act had not been passed.

Not to extend to

V. The provisions of this Act shall not extend to authorize the discontinuance of burials, or to prevent the burial of the

body of any person, in any cemetery established under the Cemeteries authority of any Act of Parliament, or in any burial ground established or cemetery to be hereafter provided with the approval of Parliament, one of Her Majesty's Principal Secretaries of State, as or new herein mentioned.

Grounds, &c

VI. Where by any such Order in Council as aforesaid it New Burial is ordered that no new burial ground shall be opened in any Grounds city or town, or within any limits therein mentioned, without not to be the previous approval of one of Her Majesty's Principal contrary to Secretaries of State, no new burial ground or cemetery Order in (parochial or non parochial) shall be provided and made in Garachian (parochial or non parochial) shall be provided and used in Council. such city or town, or within such limits, without such previous approval.

VII. All the provisions contained in the said Act of the Certain prolast Session of Parliament, chapter 85, "to amend the Laws Metro-"concerning the Burial of the Dead in the Metropolis," politan "concerning the Burial of the Dead in the Metropolis," politan from section 10 to section 42 (both inclusive) of the said Act, Burial Act, and also in sections 44, 50, 51, and 52 of the said Act, shall 15 and 16 extend and be applicable to and in respect of any parish not Vict., c. 85, in the metropolis, and for the purpose of providing a burial extended to ground for any such parish, or otherwise providing for the &c., not in interment of the bodies of persons who would have had right the metroof interment in the burial ground of any such parish, and polis. generally in relation to every such burial ground to be so provided, and the fees and payments to be received in respect of interment or other rights therein and otherwise, as if such sections were re-enacted in this Act, and the words "in the metropolis," wherever they occur in such sections, or any of them, were omitted; and section 49 of the said Act shall extend to all cemeteries already established and hereafter to be established under the authority of Parliament in like manner as to those mentioned in schedule B to that Act. and as respects the cemeteries to which such section is hereby extended, the same shall also apply in respect of burials at the expense of any hospital or infirmary in like manner as to burials at the expense of a union or parish: Provided always, that in all cases in which any Burial Board Any Burial shall provide a new burial ground under the said Act of the Board last Session of Parliament or under this Act, that new burial building a ground shall be divided into consecrated and unconsecrated Burials parts in such proportions, and the unconsecrated part thereof parts in such proportions, and the unconsecrated part thereof according to shall be allotted in such manner and in such portions as may the rites of be sanctioned by one of Her Majesty's Principal Secretaries the Church of State; and when any Burial Board shall by virtue of section 30 of the said Act build on any burial ground provided by such board or chapel for the performance of the persons not burial service according to the rites of the United Church being memory for England and Instant they shall also build a Chapel for persons not being memory for England and Instant they shall also build of England and Ireland, they shall also build, on the por- bers of the tion of such ground set apart for burials otherwise than Church of according to the rites of the said church, such chanel accome England. according to the rites of the said church, such chapel accommodation for the performance of burial service by persons not being members of the said church as may be approved of by one of Her Majesty's Secretaries of State.

Register of Burials to be kept in every 15 and 16 Vict., c. 85, or under this Act. Entries to

VIII. All burials within any burial ground provided under the said Act of the last Session of Parliament or this Act shall be registered in a register book to be provided by Ground pro- the Burial Board providing such ground (or where the same vided under is provided by the Commissioners of Sewers of the City of London then by such commissioners), and kept for that purpose according to the laws in force by which registers are required to be kept by the rectors, vicars, or curates of parishes or ecclesiastical districts in England; and such be evidence, register book shall be so kept by some officer appointed by the said board of commissioners to that duty; and in such register books shall be distinguished in what parts of the burial ground, and where the whole of such burial ground is not consecrated for interments according to the rites of the United Church of England and Ireland, whether in the portion so consecrated or in the portion not so consecrated the several bodies (the burials of which are entered in such register books) are buried; and in case such burial ground has been provided for more than one parish, such register shall be kept or indexed so as to facilitate searches for entries in such books in respect of bodies from several parishes; and such register books or copies or extracts therefrom shall be received in all courts as evidence of the burials entered therein, and copies or transcripts of such register books, verified and signed by such officer as aforesaid, shall be from time to time sent to the registrar of the diocese to be kept with the copies of the other register books of the parishes within such diocese; and the said register books, so far as respects searches to be made therein and copies and extracts to be taken therefrom, shall be subject to the same regulations as are provided by an Act passed in the seventh year of King William the Fourth, intituled An Act for registering Births, Deaths, and Marriages in England, so far as such regulations relate to register books of burials kept by any rector, vicar, or curate.

6 and 7 W. 4, c. 86.

> IX. Nothing in this Act, except the provisions in sections 7 and 8, shall extend to any parish in "the metropolis," as defined by the said Act of the last Session, or otherwise affect the provisions of that Act.

ss. 7 and 8, not to extend to the Metropolis.

Act, except

X. This Act shall not extend to Scotland or Ireland.

Extent of Act.

#### 17 & 18 VICT., CAP. 87.

AN ACT TO MAKE FURTHER PROVISION FOR THE BURIAL OF THE DEAD IN ENGLAND BEYOND THE LIMITS OF THE METROPOLIS.

## 10th August, 1854.

Whereas an Act was passed in the last Session of Parliament, chapter 134, intituled an act to amend the Laws 16 & 17 concerning the Burial of the Dead in England beyond the Vict., c. 134. limits of the Metropolis, and to amend the Act concerning the Burial of the Dead in the Metropolis: And whereas under the said Act provision is made for providing burial grounds for parishes by Burial Boards, to be appointed by vestries: And whereas in some cases of parishes wholly or partly within boroughs there is difficulty or inconvenience in providing requisite places of burial for the inhabitants under the powers of the said Act, and it is expedient that in such cases such places of burial should be provided by the Councils of such boroughs: Be it, therefore, enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

I. In case it appear to Her Majesty in Council, upon Her Majesthe petition of the Town Council of any borough, stating ty may, by that an Order in Council has been made for closing all or Order in any of the burial grounds of one or more parishes being invest Town wholly or partly within such borough, that there is diffi- councils culty or inconvenience in providing, under the powers of with the the said Act, of the last Session of Parliament, requisite power of places of burial for the inhabitants of such parish or Burial parishes, it shall be lawful for Her Majesty, with the Grounds. advice of her Privy Council, to order that powers shall be vested in the Council of such borough for providing such places of burial under the provisions of this Act: Provided always, that notice of such petition and of the time when it shall please Her Majesty to order that the same be taken into consideration by the Privy Council shall be published in the London Gazette, and in one of the newspapers usually circulated in such borough, one month at least before such petition is so considered.

II. Upon the making of any such Order of Her Majesty Upon the in Council as aforesaid in relation to any borough, if the making of Borough Council to powers vested in Burial Boards under 16 and 17 Vict., c. 134.

such Order, Town Council of the same shall decide upon providing one or more burial grounds, the said Town Council shall have all the be a Burial Board for that purpose, and the provisions of the said Act of the last Session, and the provisions of the Act of the fifteenth and sixteenth years of Her Majesty, chapter 85, in the said Act of the last Session mentioned or referred to, and thereby extended and made applicable as therein mentioned, except the provisions relating to the constitution, incorporation, meetings, entries of proceedings, and accounts of Burial Boards, shall, subject to the provisions herein contained, extend and be applicable to such borough and the Council thereof, and to any burial ground and any places for the reception of the bodies of the dead previously to interment, which may be provided by such Council under this Act, in like manner as the same are applicable to any parish and the Burial Board thereof, and to any burial ground and any such places as aforesaid provided by such Burial Board, save that no approval, sanction, or authorization of the vestry of any parish shall be requisite.

Expenses to be paid out of Borough fund or Borough rates.

III. Provided always, That all expenses of carrying this Act into execution in any borough shall, subject to the provisions herein-after contained, be chargeable upon and paid out of the borough fund and borough rates of such borough, or partly out of such fund and partly out of such rates, in like manner as if the same were expenses incurred in carrying into effect the provisions of an Act of the Session holden in the fifth and sixth years of King William the Fourth, chapter 76; and any money to be borrowed under the authority of this Act by the Council of such borough, and the interest thereon, shall be charged by such Council on the moneys out of which such expenses are by this Act directed to be paid, and the said provisions hereby extended and made applicable to the said Council shall be construed accordingly; and any surplus of money raised for defraying such expenses as aforesaid, and of the income of any burial ground provided by the Council of any borough, which if the same were provided by a Burial Board for any parish would be applicable in aid of the rate for the relief of the the poor of such parish, shall be applicable in aid of the borough fund or borough rates of such borough, or in case a separate rate has been levied in parts only of such borough, for the purposes of this Act, as herein-after provided, then such surplus shall be applied rateably towards payment or satisfaction of so much of any borough rate as may be leviable in such parts of such borough: Provided always, that such surplus shall be ascertained upon the auditing of the accounts of the treasurer of such borough in the month of September in any year.

IV. If any Burial Board, under the said Act of the last Money may Session of Parliament, or the Council of any borough be borrowed acting under this Act, can at any time borrow at a lower rates of inrate of interest than that secured by any mortgage pre-terest to viously made by them, and then outstanding and in force, pay off they may, if they think fit, so borrow accordingly in bearing a order to pay off and discharge any security or securities higher rate. bearing a higher rate of interest, and to secure the repayment of the money so borrowed, and the interest to be paid thereon, in like manner as other moneys authorized to be borrowed by such Burial Board or Council under the said Act of the last Session, or this Act.

V. If at the time appointed by any mortgage for pay- Power to ment of the principal money secured thereby any such borrow Burial Board or Council as aforesaid are unable to pay off pay off the same, they may, if they think fit, borrow such sum of former money as may be necessary for the purpose of paying off mortgages. all or any part of such principal money, and secure the repayment of the money so borrowed, and the interest to be paid thereon, in like manner as other moneys authorized to be borrowed by such Burial Board or Council under the said Act of the last Session, or this Act.

VI. The council of any borough shall act in execution Council how and exercise of their duties, powers, and authorities under to act under this Act in like manner as in execution and exercise of this Act, their duties, powers, and authorities under the said Act of veyances the fifth and sixth years of King William the Fourth; and sales of and every conveyance of lands to be purchased for the lands how purposes of this Act shall be taken in the name of the body to be made. corporate of such borough, and such body corporate shall have power to hold such lands for the purposes of this Act; and no lands purchased under this Act by the Council of any borough shall be sold, except with the like approbation and subject to the like restrictions as if sold under the said Act of the fifth and sixth years of King William the Fourth; and the signature of any member or members of such Council shall not be necessary to any conveyance of any lands so sold; and a receipt under the hand of the treasurer of such borough shall be a sufficient discharge to the purchaser of any such lands for the purchase money in such receipt expressed to be received.

VII. The burial ground or burial grounds provided for Burial any borough under this Act shall be deemed to be provided be deemed for such perish or perish or marish as wholly an included be deemed for such parish or parishes wholly or in part situate in to be for the such borough as the Town Council shall determine.

parishes in the Borough

VIII. It shall be lawful for the Council of any borough, council if they see fit, in fixing and settling, revising and altering, may fix a the fees, payments, and sums, mentioned in section 34 of higher rate

for interment, &c., in respect of outlying part of any Parish partly situate in the Borough.

of payment the said Act of the fifteenth and sixteenth years of Her Majesty, from time to time to fix all or any of such fees, payments, and sums in respect of interments of the remains of persons, being inhabitants of that part of any parish partly within and partly without the limits of such borough which is without such limits, and in respect of other rights to be exercised with reference to the interment of the remains of such persons, at a higher amount than the ordinary charge for the time being fixed by such Council in respect of the like matters; provided always, that such higher amount shall be fixed with the approval of one of Her Majesty's Principal Secretaries of State.

Order in Council may except Parishes already having Burial Grounds: and in such case if a rate be necessary a separate rate to be rest of the Borough.

IX. Where, previously to the making of any Order in Council under this Act in relation to any borough, it appears to Her Majesty in Council, upon the petition of the Town Council so made as aforesaid, or otherwise, that any parish wholly or in part within such borough is provided with a sufficient burial ground, it shall be lawful for Her Majesty in and by such Order to direct that no part of such parish shall be assessed towards defraying the expenses of executing this Act in such borough, and in such case no burial ground provided for such borough under this Act shall be deemed to be provided by such made on the parish; and any money required to be raised in such borough for defraying such expenses, or paying any money borrowed under this Act, by the Council of such borough, or any interest thereon, by means of a rate to be levied within such borough, shall be raised by a separate rate, to be levied within such parts of such borough as are not exempted under such order from being assessed as aforesaid; and (so far as may be consistent with this provision) the Council of such borough shall have all such powers for making and levying such rate, and all provisions shall be applicable in respect thereof, as in the case of a borough rate made under the said Act of the fifth and sixth years of King William the Fourth.

Powers of consent of Bishop, of fixing and to incumbent &c., to the Borough council.

X. The powers of settling and fixing the fees or sums Vestry, with to be payable to the incumbent or minister, and of revising and varying the fees payable to the incumbent, clerk, and sexton, and other persons and bodies, and of revising the substituting for such fees fixed annual sums, by sections fees payable 33 and 37 of the said Act of the fifteenth and sixteenth years of Her Majesty given to the vestry, and exercisable transferred with the approval or consent of the bishop of the diocese, as therein mentioned, shall with respect to fees and sums arising in or from any burial ground provided under this Act by the Council of any borough, be transferred to such Council, and be exercisable with the like approval or consent.

XI. It shall be lawful for the Council of any borough Council to appropriate for the purposes of this Act any land may appropriate land belonging to the body corporate of such borough, or vested belonging to in any feoffees, trustees, or others, for the general benefit the Boof the borough, or for any specific charity; provided rough. always, that where any land so appropriated shall be subject to any charitable use, such land shall be taken on such conditions only, as the Court of Chancery, in the exercise of its jurisdiction over charitable trusts, shall appoint and direct.

XII. So much of the said Act of the fifteenth and six- Burial teenth years of Her Majesty as enacts, that "no ground Ground not (not already used as or appropriated for a cemetery) shall to be within be appropriated as a burial ground or as an addition to a a dwelling burial ground under that Act nearer than two hundred house. yards to any dwelling house, without the consent in writing of the owner, lessee, and occupier of such dwelling house," shall not extend or be applicable to or in respect of any burial grounds which have been or may be provided under the said Act of the last Session and this Act or either of them, or to or in respect of any addition which has been or may be so provided to any burial ground; but no ground not already used as or appropriated for a cemetery shall be appropriated under the said Act of the last Session and this Act, or either of them, as a burial ground, or as an addition to a burial ground, nearer than one hundred yards to any dwelling house, without such consent as aforesaid.

AN ACT TO AMEND THE LAW REGARDING THE BURIAL OF POOR PERSONS BY GUARDIANS AND OVERSEERS OF THE POOR.

# 30th July, 1855.

WHEREAS by the Act of the eighth year of the reign of 7 & 8 Vict., Her Majesty, chapter one hundred and one, provisions were made for the burial of poor persons by guardians and overseers of the poor: And whereas, in consequence of the closing of the burial grounds in many parishes, and the want of adequate space in others, great difficulty is frequently found in carrying into execution the above provisions, and it is expedient that other provisions should be made: Be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same:

Where Burial Ground of Parish closed or overcrowded, Guardians neighbouring Parish.

I. That where the guardians of any union or parish, or any of their officers duly authorized in that behalf, or the overseers of any parish not under a board of guardians, shall undertake the burial of any poor person, or shall contribute money or other aid towards the same, and the burial cannot take place in the parish where, according to or overseers the provisions of the said Act, the same would have been may bury in required to take place, by reason of the public burial ground of such parish having been closed, and no other having been provided, or where, in consequence of the crowded state of such burial ground, the guardians or overseers respectively are of opinion that the burial of such dead body therein would be improper, it shall be lawful to bury such body in a public burial ground (some part of which has been consecrated) of or in some other parish as near as conveniently may be to the parish wherein the burial would have been required to take place according to the provisions of the said Act: Provided that in all cases of burial under the direction of the guardians or their officers, or of the overseers, as aforesaid, the fee or fees payable by the custom of the place where the burial may be, or under the provisions of any Act of Parliament, shall

be paid by the said guardians or overseers for the burial of each such body to the persons or persons who by such custom or under such Act of Parliament shall be entitled to receive such fee or fees.

II. The guardians of any union or parish, or the over- power to seers of any parish not under a board of guardians, may enter into from time to time enter into agreements with the pro- agreements prietor of any cemetery established under the authority of tery Com-Parliament, or with any Burial Board duly constituted panies or under the statues in that behalf, for the burial of the dead Burial bodies of any poor persons which such guardians or over- Boards. seers may undertake to bury, or towards the burial whereof they may render assistance: And thereupon the burial of any such body, under the directions of the said guardians or their officer, or of such overseers, or with their aid respectively, in such cemetery, or in the burial ground of such Burial Board (unless the deceased person, or the husband or wife or next of kin of such deceased person, have otherwise expressly desired), shall be lawful: Provided, however, that no such agreement shall be valid unless made in such form and with such stipulations as the Poor Law Board shall approve.

III. The words contained in this Act shall be construed Construcin like manner as in the Act of the fifth year of King tion of William the Fourth, chapter seventy-six, and in the several words to be as in 4 & 5 Acts incorporated therewith.

W. 4, c. 76,

AN ACT FURTHER TO AMEND THE LAWS CONCERNING THE BURIAL OF THE DEAD IN ENGLAND.

# 14th August, 1855.

15 and 16

Whereas an Act was passed in the session of parliament Vict., c. 85. holden in the fifteenth and sixteenth years of Her Majesty (chapter eighty-five), "to amend the laws concerning the burial of the dead in the metropolis;" an Act was passed in the session of parliament holden in the sixteenth and seventeenth years of Her Majesty (chapter one hun-Vict., c. 134. dred and thirty-four), "to amend the laws concerning the burial of the dead in England beyond the limits of the metropolis, and to amend the Act concerning the burial of the dead in the metropolis;" and an Act was passed in the last session of parliament (chapter eighty-seven), "to make further provisions for the burial of the dead in England beyond the limits of the metropolis:"

16 and 17

17 and 18 Vict., c. 87.

> And whereas it is expedient that further provision should be made for the burial of the dead, and that the said Acts should be amended: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present parliament assembled, and by the authority of the same, as follows:

Orders in Council under the recited Aets may be varied by

I. It shall be lawful for Her Majesty, by and with the advice of Her Privy Council, from time to time to postpone the time appointed by any Order in Council for the discontinuance of burials, or otherwise to vary any Order in Council made under any of the said recited Acts or this like orders. Act (whether the time thereby appointed for the discontinuance of burials thereunder or other operation of such order shall or shall not have arrived), as to Her Majesty, with such advice as aforesaid, may seem fit: And every Order of Her Majesty in Council made before the passing of this Act for varying any Order previously made under the said Acts or any of them shall be deemed valid and effectual in law.

Penalty on persons

II. If any person, after the time mentioned in any Order in Council under the said Acts or any of them, or this Act, for the discontinuance of burials, shall knowingly burying and wilfully bury any body or in anywise act or assist in the prothe burial of any body in any church, chapel, churchyard, visions of burial ground, or place of burial, or (as the case may be) Orders in within the limits in which burials have by such orders Council. been ordered to be discontinued, in violation of the provisions of any such order, every person so offending shall, upon summary conviction before two justices of the peace, forfeit a sum not exceeding ten pounds.

III. The churchwardens or other persons to whom Power to it belongs to convene meetings of the vestry of any parish Churchin which no Burial Board has been appointed may, at any call Vestry time, at their discretion, without requisition of ratepayers Meetings for that purpose, convene a meeting of such vestry for the for providpurpose of determining whether a burial ground shall be ing Burial provided for the parish: And where any Order in Council has been made before the passing of this Act for discon-Order in tinuing burials (wholly or subject to any exception or council has qualification) in any burial ground of any parish for which been made, no Burial Board has been appointed, or notice has been or notice given of the intention of the Secretary of State to make a apply to representation to Her Majesty in Council that burials the Privy should be discontinued (wholly or subject to any exception Council or qualification) in any burial ground of any parish, the Burial churchwardens or other persons to whom it belongs to Grounds, convene meetings of vestry shall, with all convenient Churchspeed after the passing of this Act, convene a meeting of wardens the vestry for the nurpose aforesaid. the vestry for the purpose aforesaid: And where at a Meeting any time hereafter notice is given of the intention of of Vestry. the Secretary of State to make a like representation, in relation to a burial ground of any parish, such churchwardens or other person as aforesaid shall forthwith convene a meeting of the vestry for the purpose aforesaid: And all the provisions of the said acts as amended by this act relating to, and consequent upon every vestry meetings convened upon such requisition as provided by the first-recited act shall be applicable to vestry meetings convened under this enactment.

IV. Every vacancy in any Burial Board shall be filled Vacancies up by the vestry appointing the same within one month in Burial after such vacancy shall have happened, and immediately filled up by on the occurrence thereof the same shall be notified by the Vestry Burial Board to the churchwardens or other persons to within a whom it belongs to convene meetings of the vestry: And in month. case any such vestry shall neglect to fill up any such vacancy. the vacancy may be filled up by the Burial Board at any meeting thereof: And every person to be appointed to supply any such vacancy shall be a ratepayer of the parish

for which the Burial Board is appointed: And every such board may act for any purpose notwithstanding any vacancies therein.

Monthly pealed.

V. So much of section thirteen of the said Act of the Meetings of fifteenth and sixteenth years of Her Majesty as requires that the Burial Board shall meet once at least in every month shall be repealed.

Sanction of Vestry not expenditure and other Acts of Burial Board in certain cases.

VI. If the vestry of any parish shall refuse or neglect to authorise the expenditure of such sums as the Burial required for Board of such parish shall have declared to be necessary for providing and laying out a burial ground, and building the necessary chapel or chapels therein, it shall be lawful for such Burial Board to represent such refusal or neglect to one of Her Majesty's principal Secretaries of State: And in case it shall appear to the Secretary of State, after inquiry into the circumstances of the case, that the Burial Board are unable to provide such Burial Ground, or to proceed effectually in the execution of their duties, by reason of such refusal or neglect, it shall be lawful for such Secretary of State, by warrant under his hand, to authorize such Burial Board, without further authority, sanction, or approval of or by such vestry, to expend such sums of money for providing and laying out a burial ground, and building the necessary chapel or chapels thereon, and to borrow and charge such money for all or any of such purposes, and to enter into and make such contracts and purchases, and do such other acts as under the sections 19, 20, 26, and 42 of the said Act of the fifteenth and sixteenth years of Her Majesty, might have been expended, borrowed, and charged, entered into, made, and done with the authority, approval, and sanction of such vestry, subject, nevertheless, to such limitation of amount, or other limitation or restriction as such Secretary of State may by his warrant prescribe: And all Acts done in pursuance of such warrant shall be as valid and effectual as if the authority, approval and sanction of such vestry had in every case been obtained.

Fees, &c., to the approval of State.

VII. All such fees, payments, and sums as may be fixed, to be subject settled, and received by any Burial Board under section 34 of the said Act, of the fifteenth and sixteenth years of Her Secretary of Majesty, shall be so fixed and settled subject to the approval of one of Her Majesty's principal Secretaries of State; and no such fees, payments, or sums shall be altered or varied without such approval.

State may direct inspection of Burial

Secretary of VIII. It shall be lawful for one of Her Majesty's principal Secretaries of State from time to time to appoint and authorize any person to inspect any burial ground or cemetery, parochial or non-parochial, or place for the

reception of bodies, to ascertain the state and condition Grounds. thereof, and where regulations in relation thereto have been made, or may be made, by the Secretary of State under the said Acts, or any of them, to ascertain whether such regulations have been observed and complied with: And if any person having the the care of any such burial Penalty for ground or cemetery or other place, shall obstruct any obstructing person so authorized to inspect the same, or if any person or violating having the care of any burial ground or place for the regulations. reception of bodies, subject to such regulations as aforesaid, shall violate or neglect, or fail to observe and comply with any such regulation, or any regulation imposed by this Act, every person so offending shall, upon summary conviction thereof before two justices, forfeit and pay a sum not exceeding ten pounds.

IX. So much of the said Act of the fifteenth and six- Part of teenth years of Her Majesty as enacts that "no ground section 24 (not already used as or appropriated for a cemetery) shall of 15 & 16 Vict., c. 85, be appropriated as a burial ground or as an addition to a repealed. burial ground under that Act, nearer than two hundred yards to any dwelling-house, without the consent in writing of the owner, lessee, and occupier of such dwelling-house," shall be repealed: But no ground not already Burial used as or appropriated for a cemetery shall be used for Ground not burials under the said Act or this Act, or either of them, within 100 within the distance of one hundred yards from any dwel- yards of a ling-house, without such consent as aforesaid.

dwelling

X. If the ratepayers assembled at any vestry duly con- If ratevened under the provisions of this Act shall, in pursuance payers reof public notice duly given in that behalf, resolve unani- solve, land mously that any new burial ground to be provided for for new Burial their parish, under the provisions of this Act, shall be held Ground and used in like manner and subject to the same laws and may be conregulations in all respects as the existing burial ground or veyed and churchyard of the said parish, the land for such new old Burial burial ground may be conveyed and settled in accordance Ground. with such resolution, anything in this or the said recited Acts notwithstanding, and in such case it shall not be necessary to set apart to remain unconsecrated any portion of the land so conveyed and settled: Provided always, that if at any time within ten years thereafter the vestry, duly convened under the provisions of this Act in pursuance of public notice duly given in that behalf, should determine that an unconsecrated burial ground should be also provided for such parish, all the powers and provisions of the said recited Acts and this Act may be put in force and shall be applicable for providing such unconsecrated burial ground separately, in like manner as they might

have been put in force and been applicable for providing

an ordinary burial ground for such parish.

How Burial Grounds are to be provided for united Parishes.

XI. Where a parish or place has been united with any other parish or place, parishes or places, for all or any ecclesiastical purposes, or where two or more parishes or places have heretofore had a church or burial ground for their joint use, or where the inhabitants of several parishes or places have been accustomed to meet in one vestry, for purposes common to such several parishes or places, it shall be lawful for the vestry, or any meeting in the nature of a vestry, of such several parishes or places in any of the cases aforesaid, and whether any one or more of such parishes or places do or do not separately maintain its own poor, to appoint a Burial Board, and from time to time to supply vacancies therein, and to exercise the same powers of authorisation, approval, and sanction in relation to such Burial Board, and such other powers as, under the said Acts and this Act, are vested in the vestry of a parish or place separately maintaining its own poor: And the Burial Board so appointed shall have all the powers for providing a burial ground for the common use of such several parishes or places, and for facilitating interments and otherwise, as if such several parishes or places had been a parish separately maintaining its own poor: And the expenses of the Burial Board appointed under this provision shall be borne by the several parishes or places for which such board is appointed, and shall be apportioned among them by such Burial Board in proportion to the value of the property in such several parishes or places as rated to the relief of the poor: And the sums required by the Burial Board in respect of the portion of such expenses to be borne by any such parish or place, shall be paid out of the rates for the relief of the poor in such parish or place, in like manner as if such Burial Board had been appointed for such parish or place alone.

Burial be appointed for Township, &c., (not separately maintaining their own have had separate Burial Grounds.

XII. The vestry or meeting in the nature of a vestry of Boards may any parish, township, or other district, not separately maintaining its own poor, which has heretofore had a separate burial ground, may appoint a Burial Board, and from time to time supply vacancies therein, and may exercise the same powers of authorisation, approval and sanction in relation to such Burial Board, and such other Poor) which powers as under the said Acts and this Act, are vested in the vestry of a parish separately maintaining its own poor: And the Burial Board so appointed shall have all the powers for providing a burial ground and otherwise, as if such parish, township, or other district had been a parish separately maintaining its own poor.

Provision of Burial Boards of places not

XIII. Where any district (whether parish or township for expenses or other sub-division) not separately maintaining its own poor, but forming part of a parish maintaining its own poor, or of an incorporation or other union maintaining

the poor of the places comprised therein, by means of a separately common rate, shall have a Burial Board, or shall form part maintaining their own of a place or union of places not co-extensive with the Poor. area rated for the relief of the poor, and having one Burial Board, it shall be lawful for such respective Burial Board to issue their certificate to the overseers of such parish, or the overseers or other persons authorized to make and collect, or cause to be collected, such common rate (as the case may be), for payment of the sums required for the expenses of such Burial Board, or where such district not separately maintaining its own poor forms part only of the area of the Burial Board, of the sums required in respect of the portion of such expenses to be borne by such district, in like manner as if such district had been a parish separately maintaining its own poor, and such overseers or persons authorized as aforesaid had been the overseers thereof: And such overseers or persons shall pay such sums as shall be required by such certificate, according to the directions of such Burial Board, and shall levy such sums as may be required for such payments to the Burial Board by an addition to the parish rate or common rate, so far as the same affects the district in respect of which such payments are required, or by separate rates to be made from time to time on such district: And for levying such additions or separate rates as aforesaid such overseers or other persons shall have the powers, remedies, and privileges, and proceed in the same manner, as in the case of the rates for the relief of the poor; provided that any such rates may (notwithstanding any restriction in relation to the parish rate or common rate) be made and levied at such times as may be necessary to provide for the payments aforesaid.

XIV. And whereas doubts have arisen whether in all No obligacases in which any Burial Board shall build in any burial tion to ground provided by such board a chapel for the burial build a chapel for service according to the rites of the United Church of persons not England and Ireland, such Burial Board is not also bound Members of by law to build a chapel or chapels upon the unconsecrated the Church part of such burial ground for the performance of burial when Secreservice for persons not being members of the said church : tary of State Be it enacted, that in any such case as aforesaid, where it upon represhall appear to one of Her Majesty's Principal Secretaries sentation of of State, upon the representation of a majority of the fourths of vestry of any parish, consisting of not less than three- Vestry, fourths of the members of the same, that the building of a declares it chapel upon the unconsecrated part of any such burial unnecessary ground for the use of persons not being members of the said church is undesirable and unnecessary, it shall be lawful for the said Secretary of State, if he shall think fit, to signify his opinion to that effect to the Burial Board of

the parish, and the said Burial Board shall thereupon be relieved from all obligation to build the same: Provided always, that such Secretary of State shall not signify his opinion, as aforesaid, unless it be shown to his satisfaction that notice of the intention to propose to such vestry to make such representation was given in manner required by law for notices of vestry meetings, and of the special purposes thereof.

Assessment to local rates not to be increased after purchases for the purposes of this or any

XV. No land already or to be hereafter purchased or acquired, under the provisions of any of the Acts hereinbefore recited, for the purpose of a burial ground (with or without any building erected, or to be erected thereon), shall, while used for such purposes, be assessed to any county, parochial or other local rates, at a higher value or more improved rent than the value or rent at which the same former Act. was assessed at the time of such purchase or acquisition.

Separate Burial Boards whose Burial Grounds adjoin may contract with each other for specific purposes.

XVI. That in any case where the Burial Boards appointed under the said recited Acts of the fifteenth and sixteenth and the sixteenth and seventeenth years of Her Majesty, or either of them, for any two parishes, shall provide separate burial grounds for such parishes respectively, and such burial grounds shall adjoin each other, it shall be lawful for the said Burials Board to concur in building, either on one of the said burial grounds or partly on one of such grounds and partly on the other, such chapels as are authorised to be built by the said Acts, and that such chapels when erected shall be used in common by both of such parishes, and be deemed and taken to be the chapels of and belonging to each of such Burial Grounds respectively, in such manner, consistent with the provisions of the said Acts or either of them, as the said Burial Boards shall mutually agree upon: And that the said Burial Boards may agree as to the proportions in which the expenses of erecting such chapel accommodation shall be borne by each of the said boards respectively: And the proportion for each of such parishes of such expenses shall be chargeable upon and paid in the same manner as the costs of providing burial grounds under the said Acts: And where any Burial Board shall provide a burial ground, and cause chapels to be built therein, pursuant to the said recited Acts, it shall be lawful for such Burial Board, with the sanction of one of Her Majesty's Principal Secretaries of State, to contract with any other Burial Board whose burial ground shall adjoin the one on which such chapels shall so have been built, for the use of such chapels, in such manner and on such terms as such respective Burial Boards shall mutually agree, and that during the existence of any such agreement such chapels shall be deemed and taken to be the chapels of and belonging to each of such burial grounds respectively.

XVII. It shall be lawful for any Burial Board, with the Burial State, and subject to regulations approved of by him to let land not State, and subject to regulations approved of by him, to required for let any land purchased by and vested in them under this Burials. Act or any of the Acts hereinbefore recited, and which has not been consecrated, and in which no body has been at any time interred, and which is not for the time being required for the purposes of a burial ground, in such manner and on such terms as such board may see fit, but so nevertheless that power shall be reserved to such board to resume any such land which may be required for the purposes aforesaid, upon giving six months' notice.

XVIII. In every case in which any Order in Council Burial has been or shall hereafter be issued for the discontinuance Board to of burials in any churchyard or burial ground, the Burial order closed Board or churchwardens, as the case may be, shall maintain Burial such churchyard or burial ground of any parish in decent Grounds, order, and also do the necessary repair of the walls and &c. other fences thereof, and the costs and expenses shall be repaid by the overseers, upon the certificate of the Burial Board or churchwardens, as the case may be, out of the rate made for the relief of the poor of the parish or place in which such churchyard or burial ground is situate, unless there shall be some other fund legally chargeable with such costs and expenses.

XIX. Nothing in this Act contained shall in anywise Act not abridge, lessen, or defeat any power, right, or privilege of to abridge any local board of health being the Burial Board of a powers of local Boards borough created or to exist under or by virtue of any local of Health, Act of Parliament.

XX. Any local board of health acting as or created a Local board under or by virtue of the powers of any local Act of Boards Parliament shall and may have and exercise all the powers, to exercise rights, and privileges which by this Act or by the secondly powers of recited Act are or can or may be had, enjoyed, or exercised this Act. by any Burial Board therein named.

XXI. The said Acts of the fifteenth and sixteenth, six- Acts to be teenth and seventeenth, and seventeenth and eighteenth construed years of Her Majesty, and this Act, shall be read and together. construed together as one Act.

An Act to amend an Act passed in the 15 & 16 years of the reign of Her present Majesty Queen Victoria, intituled

AN ACT TO AMEND THE LAWS CONCERNING THE BURIAL OF THE DEAD IN THE METROPOLIS, SO FAR AS RELATES TO THE CITY OF LONDON AND THE LIBERTIES THEREOF.

## 10th August, 1857.

15 & 16

WHEREAS an Act was passed in the Session of Parliament holden in the fifteenth and sixteenth years of the reign of Her present Majesty Queen Victoria, intituled An Act to amend the Laws concerning the Burial of the Dead in the Metropolis, containing provisions for the appointment Vict., c. 85. of Burial Boards in the several parishes in the metropolis, and conferring on such Burial Boards various powers and authorities to be exercised in some cases by the board alone, and in other cases by the boards with the approval of the vestries of their respective parishes: And whereas it was by the said Act enacted, that the provisions therein contained for the appointment of Burial Boards should not apply to any parish within the limits of the City of London, and the liberties thereof, but it should be lawful for the Mayor, Aldermen, and Commons of the City of London, in Common Council assembled, if and when they should see fit so to do, to authorize and direct the Commissioners of Sewers of the City of London to exercise for the said city and liberties all the powers and authorities vested in the Burial Boards under the said Act; and thereupon such commissioners should have and exercise for and on behalf of the said city and liberties all such powers and authorities as were thereby vested in the Burial Board for any parish, or which might be exercised by such board with the approval of the vestry: And whereas the Commissioners of Sewers of the City of London have been authorized by the said Mayor, Aldermen, and Commons, in Common Council assembled, to exercise the powers and authorities vested in the Burial Boards under the said Act, and have provided and constructed a large and spacious cemetery in the parish of Little Ilford in the County of Essex at an expense of seventy-five thousand pounds: And whereas there are more than one hundred parishes within the City of London and the liberties thereof, and it has been found

impractible to obtain the requisite consents of all the vestries of such parishes to the uniform exercise of such powers or authorities by the said commissioners: And whereas under the provisions contained in the 37th section of the said Act (by which section power is given to the vestry of any parish, with consent of the bishop of the diocese, to revise and vary the fees payable to the incumbent under the provisions of the said Act,) a table of fees to be paid to incumbents upon interments which shall take place in the consecrated portion of the said cemetery at Little Ilford has been agreed to by the major part in number of the vestries of the parishes within the City of London and the liberties thereof, which table of fees has been approved of by the bishop of the diocese and is contained in the schedule to this Act: And whereas it is expedient that the table of fees so agreed to should be made to apply to the whole of the parishes within the City of London and the liberties thereof, and that the said Act should be amended by making the consent or approval of the major part in number of the vestries of the several parishes within the City of London and the liberties thereof sufficient to enable the Commissioners of Sewers of the City of London to exercise any power or authority conferred upon them by the said Act, which requires for the exercise thereof the approval or consent of all the vestries of such parishes; and also that the said Act should be amended in manner herein-after mentioned: And whereas the purposes aforesaid cannot be affected without the authority of Parliament: May it therefore please your Majesty that it may be enacted; and be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

I. The fees enumerated in the schedule to this Act The fees in shall be the fees which the incumbents of the parishes schedule to within the City of London and the liberties thereof shall be the fees be entitled to receive upon all interments in the conse- Incumbents crated portion of the said cemetery at Little Ilford, whether of the remains of parishioners or inhabitants of the said parishes, or of any other persons, and the same fees shall be in satisfaction of all claims on the part of such incumbents to fees of every description, whether in respect of burial in vaults or graves, or of the erection of monuments, gravestones, or tablets, or of monumental inscriptions in the said cemetery.

II. When and as often as the consent or approval of the Approval of vestries of the several parishes within the limits of the a majority City of London and the liberties thereof is by the said of Vestries in the City recited Act required for the purpose of enabling the Com- of London

to be sufficient.

missioners of Sewers and the City of London to exercise any power or authority given to or vested in them by the said Act, or to execute any act, deed, matter, or thing under the authority of the said Act, or to confirm or render valid any act, deed, matter, or thing made or done, or agreed or proposed to be made or done, by the said commissioners, then and in every case the consent or approval of the major part in number of the vestries of the several parishes within the said city and liberties shall be sufficient to enable the said commissioners to exercise any such power or authority, or to do or execute any such act, deed, matter, or thing as aforesaid, and to confirm and render valid any act, deed, matter, or thing made or done, or agreed or proposed to be made or done, by them, and shall be as valid and effectual for all the puposes of the said Act as if all the vestries of the said parishes within the City of London and the liberties thereof had actually consented to or approved thereof, or had confirmed the same: Provided, that the parishes united under the the provisions of the Act of the twenty-second year of Charles the Second, chapter 11, or united for ecclesiastical purposes by the provisions of that, or any other Act or Acts, shall, for the purposes of this Act and the said recited Act, be and be deemed one parish.

Certain seccited Act repealed as to the City of London.

III. The provisions in the said recited Act contained tions in re- with reference to fees payable to incumbents, churchwardens, and others for parochial or other purposes, and also with reference to the powers given to vestries of revising and varying, with the consent of the bishop, the fees payable to incumbents, clerks, and sextons, or of substituting fixed payments in lieu thereof, which provisions are comprised in the 32nd, 33rd, 35th, 36th, 37th, and 50th sections of the said Act, shall not apply to parishes situated within the City of London or the liberties thereof.

Commissioners acting as Burial Board with approval of the major part of the Vestries, to settle fees payable to dens, &c.

IV. It shall be lawful for the Commissioners of Sewers of the City of London, acting as Burial Board for the several parishes within the city and the liberties thereof, with the approval of the major part in number of the vestries of such parishes, to settle and determine whether any and what fees shall be payable to the churchwardens or to the clerk or sexton of any parish within the City of London or the liberties thereof, or to any trustees or other persons for any parochial or other purpose whatever, on Churchwar any interment, or for any monument, gravestone, tablet, or monumental inscription in any burial ground already provided or which may hereafter be provided by the said commissioners in pursuance of the powers contained in the said Act, and such fees (if any) as shall be so settled and determined shall be paid to the commissioners, and shall be paid over by them to the parties for the time being entitled to receive the same.

V. All fees payable under the provisions of this Act Fees to be to incumbents of parishes within the City of London paid by the and the liberties thereof shall be paid by the Commis-sioners. sioners of Sewers of the City of London, by quarterly payments in each year, to such persons or persons as shall by such incumbents, or the major part of them, be appointed from time to time to receive the same, and such fees shall be applied according to a scheme to be agreed upon by such incumbents, or the major part of them, with the consent of the bishop of the diocese.

VI. It shall be lawful for the said commissioners, Commissubject and without prejudice to the fees payable to settle fees incumbents under the provisions of this Act, and subject for burial of to the approval required by the 7th section of the Act of persons not eighteenth and nineteenth Victoria, chapter 128, to settle residing in a scale of fees for the burial in the cemetery at Little Ilford London. aforesaid of persons not residing within the City of London or the liberties thereof, and from time to time to revise and vary the same.

VII. The chaplain or chaplains who for the time being Chaplains shall have been or shall hereafter be appointed under the of Cemetery 39th section of the said recited Act, by the incumbents of to conform to regulathe parishes within the City of London and the liberties tions of thereof, for the performance of burials in the consecrated Commispart of the said cemetery, shall conform to all such regu- sioners. lations of the Commissioners of Sewers for the City of London as shall not interfere with the performance of the funeral service according to the order of the United Church of England and Ireland.

VIII. In this Act and in the said recited Act, so far as Interprethe same applies to the City of London and the liberties tation of thereof, the words "parishioner" or "inhabitant" shall terms. mean a person inhabiting a house or dying in one of the parishes in the City of London or the liberties thereof; and when such house shall be situated in more than one parish, the parish in which the greater part of such house is situated shall be deemed to be the parish of which the person inhabiting the same is a parishioner or inhabitant.

IX. All the costs, charges, and expenses of obtaining Expenses and passing this Act shall be defrayed out of the consoli- of Act. dated rate authorized to be made by the "City of London Sewers Act, 1848."

The SCHEDULE.	£	8.	d.
For each burial in a catacomb in consecrated ground	0	15	. 0
For each burial in a vault in ditto	0	10	0
For each burial in a brick grave in ditto	0	7	6
	0	5	0
	0	2	6
For each burial of a pauper in ditto	0	1	0

20 & 21 VICT., CAP. 81.

AN ACT TO AMEND THE BURIAL ACTS.

## 25th August, 1857.

15 and 16

16 and 17

Whereas an Act was passed in the Session holden in the fifteenth and sixteenth years of Her Majesty (Chapter eighty-five), "to amend the Laws con-Vict., c. 85. "cerning the Burial of the Dead in the Metropolis;" and an Act was passed in the Session holden in the sixteenth and seventeenth years of Her Majesty (Chapter one hundred and thirty-four), "to amend Vict., c. 134. 1 the Laws concerning the Burial of the Dead in " England beyond the Limits of the Metropolis, and "to amend the Act concerning the Burial of the "Dead in the Metropolis;" and an Act was passed in the Session holden in the seventeenth and eighteenth years of Her Majesty (chapter eighty-seven), Vict., c. 87. "to make further Provision for the Burial of the

17 and 18

18 and 19 Viet., c. 78, 128.

"Dead in England beyond the Limits of the Metro-"polis;" and Acts were passed in the Session holden in the eighteenth and nineteenth years of Her Majesty (Chapters seventy-eight and one hundred and twenty-eight), "to amend the Laws concerning "the Burial of the Dead in England:" And whereas it is expedient to amend the said Acts: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spriritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Approval of a majority of Vestries of Parishes Acts done by Burial ing for more than two Parishes.

I. All Acts authorized to be done by any Burial Board, with the approval, sanction, or authority of the Vestry or Vestries of the Parish or Parishes for sufficient for which such Board is constituted, may, where a Joint Burial Board is constituted for more than two Boards act- Parishes, be done with the approval, sanction, or authority (as the case may require) of the Vestries of the majority of such Parishes.

Joint Burial Boards may be dissolved.

II. Where the Vestries of two or more Parishes have agreed to provide one Burial Ground for the common use of such Parishes, such Vestries, may, at any time before such Burial Ground has been provided, determine the union between such Parishes under such agreement, and upon such union being so determined all the provisions of the said Acts and this Act shall be applicable with regard to such Parishes and the respective Burial Boards thereof as if such union had not been formed, save that any expenses already properly incurred by the Joint Burial Board for such Parishes shall be defrayed as provided by the said Acts.

III. Any Burial Board may, if they see fit, with Burial the approval of one of Her Majesty's principal Secretaries of State, provide more than one Burial Ground, more than and may, if they see fit, with such approval, instead one Burial Ground. of setting apart a portion of any Burial Ground for the purpose of such portion being used as unconsecrated Ground, provide separate and distinct Grounds to be used respectively as consecrated and unconsecrated Burial Grounds: Where before the passing of this Act any Burial Board has provided more than one Burial Ground, or has (instead of setting apart a portion of any Burial Ground for the purpose of being used as unconsecrated Ground) provided separate and distinct Grounds as consecrated and unconsecrated Burial Grounds, such Burial Board shall be deemed to have acted lawfully and in accordance with the said Acts.

IV. In case it appear to Her Majesty in Council, Local Board upon the petition of the Local Board of Health of any of Health District established under the Public Health Act, or may, by upon the petition of any Commissioners elected by the Council, be Ratepayers, and acting under or by virtue of the constituted powers of any Local Act of Parliament for the im- Board. provement of any Town, Parish, or Borough, stating that the District of such Local Board of Health or of such Commissioners is co-extensive with a District for which it is proposed to provide a Burial Ground, and that no Burial Board has been appointed for such District, and that an Order in Council has been made for closing all or any of the Burial Grounds within the said District, it shall be lawful for Her Majesty, with the advice of Her Privy Council, in case Her Majesty see fit so to do, to order, that such Local Board shall be a Burial Board for the District of such Local Board, or that such Commissioners shall be a

Burial Board for the District of such Commissioners. and thereupon such Local Board or such Commissioners, as the case be, shall be a Burial Board for such District accordingly; and the powers and provisions of the Acts herein-before mentioned (except the provisions relating to the constitution or appointment and resignation of Members of Burial Boards), and the provisions herein contained, shall extend to the District of such Board, and to such Board, or to the District of such Commissioners, and to such Commissioners, and to any Burial Ground and Places for the reception of the bodies of the dead previously to interment which may be provided by such Board or by such Commissioners, in like manner as to any Parish or Parishes and the Burial Board thereof, and any Burial Ground and any such Places as aforesaid provided by such last-mentioned Board, save that no approval, sanction, or authorization of any Vestry shall be requisite: Provided always, that notice of such petition, and of the time when it shall please Her Majesty to order the same to be taken into consideration by the Privy Council, shall be published in the London Gazette, and in one of the newspapers usually circulating in the District of such Local Board or of such Commissioners, one month at least before such petition is so considered: Provided also, that this enactment shall not apply to any such District as aforesaid exclusively consisting of the whole or part of one Corporate Borough within the meaning of the Public Health Act, 1848.

Burial
Board may
be established for
a district
not mainBurial
Ground.

V. The Vestry, or Meeting in the nature of a Vestry, of any Parish, new Parish, Township, or other District not separately maintaining its own Poor, and which has had no separate Burial Ground, may appoint a Burial Board; and such Vestry or Meeting, and the Burial Board appointed by it, shall exercise and have all the powers which they might have exercised and had under the said Acts and this Act if such Parish, new Parish, Township, or District had had a separate Burial Ground before the passing of the said Act of the eighteenth and nineteenth years of Her Majesty: Provided always, that all the powers of any other Vestry or Meeting and Burial Board, if any, shall then cease and determine, so far as relates to such Parish, new Parish, Township, or District as aforesaid; and until a Burial Ground shall be so provided as aforesaid and consecrated for any new

Parish or District created or to be created pursuant to the provisions of the sixth and seventh Victoria, Chapter thirty-seven, the seventh and eighth Victoria, Chapter ninety-four, and the nineteenth and twentieth Victoria, Chapter one hundred and four, or any or either of them, and to which the said Acts, or any or either of them, may apply, the Incumbent of such new Parish or District (if any Burial Ground has been or shall be provided under the herein recited Acts for the burial of the dead, or any or either of them, for any Parish or Parishes out of Rates to which such new Parish or District, or any part thereof, shall have contributed or contribute, or be liable) shall, with respect to the Burial in such last-mentioned Burial Ground of the remains of the parishioners or inhabitants of such new Parish or District, or of such part thereof as shall have contributed or contribute as aforesaid, as the case may be, perform the same duties, and have the same rights, privileges, and authorities, and be entitled to the same fees, and also the Clerk and Sexton of such new Parish or District shall, when necssary, respectively perform the same duties, and be entitled to the same fees, in respect of such burials, as if the said Burial Ground were exclusively the Burial Ground of such new Parish or District, subject nevertheless to all provisions to which the Incumbents, Clerks, and Sextons of original Parishes are respectively subject in and by the said Burial Acts, or any or either of them: Provided also, that nothing herein contained shall effect the rights or privileges of any existing incumbent, clerk, or sexton without the consent of such incumbent, clerk, or sexton respectivley

VI. Where the Guardians of any Parish or Union Ordinary of are or shall hereafter become possessed of any land Diocese suitable to the purposes of a Burial Ground, and the may con-Poor Law Board shall consent to the same being whole or appropriated to the reception of the dead bodies of any part of land poor persons whom such Guardians shall be autho- any Parish rized or required by Law to bury, it shall be lawful for the Bufor the Ordinary of the Diocese wherein such land rial of poor persons. shall be situated, if he see fit, to consecrate the whole or a part of such land for burial purposes, and after consecration the Guardians may lawfully direct any such dead body, as aforesaid to be buried therein; and the land so consecrated shall not thenceforth be used for any other purposes than for burials according

to the rites of the United Church of England and Ireland, and shall be kept in decent order; and the fences thereof, and any building or other erection therein or adjoining thereto used for the performance of the Burial Service, shall be maintained in good repair by the Guardians, out of the common fund of such Parish or Union: Provided nevertheless, that the Guardians shall not be authorized to direct the body of any poor person to be buried in such Grounds who, or whose husband, wife, or next of kin, shall, by letter addressed to the Master of the Workhouse or otherwise, have expressly desired burial to take place elsewhere.

Provision to a Burial Board of a Burial Ground provided under Church Building Acts.

VII. Where a Burial Ground has been provided for transfer for any Parish under any of the Acts commonly referred to or known as the Church Building Acts, and the same has been consecrated, and any money expended in providing such Burial Ground has been borrowed on the security of the Church Rates, it shall be lawful for the Incumbent of the Parish, with the consent of the Ordinary and the Burial Board of such Parish, or of any Borough or District in which such Parish is wholly or in part comprised, by instrument in writing under the hands and seals of such Incumbent and Ordinary, and under the seal of the said Burial Board, to declare that, in consideration of the payment of the debt by the said Burial Board, or of such sum as shall be mutually agreed upon, with the consent of the persons, signified in writing under their hands, to whom two thirds of such debt is due, the said Burial Ground shall be vested in and be under the care and management of such Burial Board, and thereupon, the same shall be vested in and be under the care and management of such Board, and shall be subject to the provisions of the herein-before recited Acts and this Act applicable to a consecrated Burial Ground or the consecrated part of any Burial Ground provided by any Burial Board; and any money borrowed as aforesaid, and remaining owing, and the interest due and to become due thereon, and all costs and expenses occasioned by the nonpayment thereof, or incurred in providing such Burial Ground, and then remaining unpaid, shall be charged on and paid out of such rates or fund as under the said last-mentioned Acts and this Act would be chargeable with the expense of pro-

viding a Burial Ground by such Board, and such declaration as aforesaid shall be registered in the Registry of the Diocese; and such Board may, with the approval of the Vestry, enlarge such Burial Ground, by the addition of Ground to be used for Burial otherwise than according to the rites of the Church of England, and to be used subject to the provisions of the Acts herein recited and of this Act in respect to the unconsecrated portions of Burial Grounds.

VIII. It shall and may be lawful for the Vestry Vestry of of any Parish in which any Burial Ground closed by Parish in which Order in Council may be situate, and which does not Burial belong to such Parish, by resolution of the Vestry at Ground is at a Meeting called for that purpose, to purchase such purchase Burial Ground, and from the time of such purchase such Burial such Burial Ground shall belong to such Parish, and Ground if not belong-be subject to all the conditions affecting the Burial ing to Grounds of the Parish in which the same is situate.

IX. And whereas by the said Act of the eighteenth Burial and nineteenth years of Her Majesty, Chapter one Boards not hundred and twenty-eight, it is enacted, that where to be appointed for a Parish or Place has been united with any other united Parish or Place, Parishes or Places, for all or any Rarishes, &c. in cases ecclesiastical purposes, or where two or more Parishes provided for or Places have heretofore had a Church or a Burial by 18 & 19 Ground for their joint use, where the inhabitants of without several Parishes or Places have been accustomed to consent of meet in one Vestry for purposes common to such Secretary of several Parishes or Places, it shall be lawful for the where one Vestry, or any Meeting in the nature of a Vestry, of of the places such several Parishes or Places, in any of the cases separately maintains aforesaid, and whether any one or more of such its own poor Parishes or Places do or do not separately maintain or has a its own Poor, to appoint a Burial Board, and from Ground. time to time to supply vacancies therein, and to exercise the same powers of authorization, approval, and sanction in relation to such Burial Board, and such other powers as, under the Acts therein recited and that Act, are vested in the Vestry of a Parish or Place separately maintaining its own Poor: Where any of the several Parishes or Places under the circumstances provided for in the said enactment separately maintains its own Poor, or has a separate Burial Ground, it shall not be lawful for the Vestry, or Meeting in the nature of a Vestry, of such several

Parishes or Places, to appoint a Burial Board under the said enactment without the approval of one of Her Majesty's Principal Secretaries of State; and in case it appear to the Secretary of State that any such Parish or Place has a sufficient Burial Ground, or that otherwise it would not be expedient that the powers given by the said enactment should be exercised in relation to such Parish or Place, the Secretary of State may direct that such Parish or Place shall be excepted from the operation of the said enactment, and thereupon the same shall be excepted accordingly; and the inhabitants of the remaining Parish or Parishes, Place or Places, may assemble in Vestry, or in a Meeting in the nature of a Vestry, from time to time, and in such Vestry or Meeting may proceed in like manner under the said Acts and this Act in all respects as if the inhabitants of such last-mentioned Parish or Parishes, Place or Places, exclusively had a Vestry for their common purposes, and where wholly unconnected with the Parish or Place so excepted.

Orders in Council may regulating Burial

X. It shall be lawful for Her Majesty, by Order be made for made by and with the advice of Her Privy Council, on the representation of one of Her Majesty's Prin-Grounds,&c cipal Secretaries of State, from time to time to establish such regulations as to Her Majesty may seem proper for the protection of the public health, and for the maintenance of public decency, in respect of all burials in common graves in any Cemeteries named in Schedule B. to the Act fifteenth and sixteenth Victoria, Chapter eighty-five, and in respect of the like burials in any Cemetery established under the authority of any Local Act of Parliament; and every such Order in Council shall be published in the London Gazette; and all persons having the care of such Cemeteries and Burial Grounds and Places shall conform to and obey such regulations; and any such person who shall violate or wilfully neglect to observe any of such regulations shall, on summary conviction thereof before two Justices of the Peace, forfeit and pay any sum not exceeding ten pounds: Provided always, that no such representation shall be made in relation to any Cemetery or Burial Ground until ten days previous notice in writing of the intention to make such representation shall have been given to the person or one of the persons having the control or care of such Cemetery or Burial Ground.

XI. It shall not be necessary to erect or maintain No Wall or any wall or fence between the consecrated and the quired beunconsecrated portions of any Burial Ground provided tween the under the herein-before recited Acts and this Act, consecrated or any of them: Provided always, that in the case of secrated any Burial Ground where there shall be no such portions of wall or fence, it shall be the duty of the Burial Ground. Board having the care of such Burial Ground to Boundary place, and from time to time to repair and renew, marks to be such boundary marks of stone or iron as may be provided. sufficient to show the boundaries of such consecrated and unconsecrated portions respectively.

XII. If, upon the application in writing by any Appeal. Burial Board to the Bishop of the Diocese for the Consecration of a Burial Ground, declared in such writing to be in a fit and proper condition for the purpose of interment according to the rites of the United Church of England and Ireland, which application the Board is required to make as soon as such Ground is in such fit and proper condition, the said Bishop shall refuse to consecrate the same, it shall be lawful for such Burial Board to appeal from such refusal to the Archbishop of the Province, who shall decide the matter in dispute; and if the said Archbishop shall decide that the said Burial Ground is not in a fit and proper condition as aforesaid, then the Board shall be bound to put the said Ground in a fit and proper condition; and if the said Archbishop shall decide that the said Burial Ground is in a fit and proper condition as aforesaid, and ought to be consecrated, such decision shall be communicated in writing by the Archbishop to the Bishop aforesaid; and if after such communication the said Bishop shall not within one calendar month consecrate the said Burial Ground, the said Archbishop shall, under his hand and seal, license the same for the interment of bodies according to the rites of the United Church of England and Ireland, and the license of the said Archbishop so granted as aforesaid shall, until such Burial Ground be consecrated, operate to make lawful the use of the same as if it had been consecrated.

XIII. In any Burial Ground provided under the Power to powers of the Acts herein-before recited or this Act, incumbent or Curate to respecting which One of Her Majesty's principal bury in Secretaries of State shall have certified that the Burial

tified by Secretary of State prior to consecration.

Ground cer- necessary provisions have been complied with, it shall be lawful for the Incumbent or Incumbents of such Parish or Parishes for which such Burial Ground is provided, or his or their Curate or Curates, or such duly qualified person as any such Incumbent may authorize, if such Incumbent, Curate, or such duly qualified person respectively think fit, to bury in such Burial Ground prior to the decision of the Bishop or Archbishop upon the application for the consecration thereof.

Section 32 of 3 G. 4, c. 126, exempting funerals funerals in Burial Grounds although not within its limits.

XIV. Whereas by Section thirty-two of the Act of the Third Year of King George the Fourth, chapter one hundred and twenty-six, it is enacted, that no Toll shall be demanded or taken by virtue of that or extended to any other Act or Acts of Parliament on any Turnpike Road of or from any inhabitant of any Parish, Township, or Place going to or returning from attending provided for the funeral of any person who shall die and be buried the Parish, in the Parish, Township, or Place in which any Turnpike Road shall lie, from and after the first day of July one thousand eight hundred and fifty-eight, or from and after the termination of any now existing lease of Tolls expiring before that date, the said enactment shall extend to exempt from Toll every person going to or returning from attending the funeral of any person who shall be buried in any Burial Ground provided for the Parish, Township, or Place in which he died under the Acts herein-before recited and this Act, or any of them, or under any other Act of Parliament, although such Burial Ground be not within the limits of the Parish, Township, or Place for which it may have been provided, or in which the Turnpike Road shall lie.

Persons wilfully destroying, &c. Register Rook of Burials guilty of felony.

XV. That every person who shall wilfully destroy or injure, or cause to be destroyed or injured, any Register Book of Burials, kept according to the provisions of this Act, or any part or certified copy of any part of such register, or shall falsely make or counterfeit, or cause to be falsely made or counterfeited, any part of any such register or certified copy thereof, or shall wilfully insert or cause to be inserted in any Registry Book or certified copy thereof any false entry of any Burial, or shall wilfully give any false certificate, or shall certify any writing to be a copy or extract of any such Register Book, knowing

the same to be false in any part thereof, or shall forge. or counterfeit the seal of any Burial Board, shall be guilty of felony.

XVI. Whereas by the Act of the fifty-second year Section 4. of King George the Third, Chapter one hundred and of 52 G. 3, forty-six, Section four, it is provided, that whenever to apply to the ceremony of burial shall be performed in any burials in other Place than the Parish Church or Churchyard of provided any Parish (or the Chapel or Chapelyard of any under the Chapelry providing its own distinct registers), and Burial Acts. such ceremony shall be performed by any Minister not being the Rector, Vicar, Minister, or Curate of such Parish or Chapelry, the Minister who shall perform such ceremony of burial shall on the same or on the next day transmit to the Rector, Vicar, or other Minister of such Parish or Chapelry, or his Curate, a certificate of such burial, and the Rector, Vicar, Minister, or Curate of such Parish or Chapelry shall thereupon enter such burial according to such certificate in the book kept pursuant to that Act for such purpose: And whereas distinct registers are by law required to be kept in the Burial Grounds provided under the Burial Acts: The recited enactment of the said Act of King George the Third shall not apply in any case where the ceremony of burial is performed in a Burial Ground provided or to be provided under the Acts of Her Majesty hereinbefore recited and this Act, or any of them.

XVII. No fees shall be charged or received by any Fees for Burial Board in respect of any service done or right Service done in uncongranted in the unconsecrated portion of any Burial secrated Ground provided by such Board, but such as are portion of identical in amount with the fees charged and received Ground to in respect of the same service or right in the con- be identical secrated portion of such ground, less any such portion as for conof such corresponding fees or payments which may be portion. received for or on account of any Incumbent, Churchwarden, Clerk, or Sexton, or of any Trustee for or on behalf of any Incumbent, Churchwarden, Clerk, or Sexton.

XVIII. So much of Section twenty of the firstly so much of herein-before recited Act as requires "that there of 15 and 16 "shall be paid in every year, in addition to the Vict., c. 85, "interest of the money borrowed and unpaid, not as to pay-"less than one twentieth of the principal sum bor- money

borrowed repealed.

"rowed, until the whole is discharged," shall be repealed, and the provisions of the other Acts hereinbefore recited to which the said Section has been extended shall be construed accordingly.

Clauses of 10 and 11 porated.

XIX. The Clauses of the Commissioners Clauses Vict., c. 16, Act, 1847, with respect to mortgages to be executed withrespect by the Commissioners, shall be incorporated with this gages incor- Act, and shall apply to mortgages and other securities to be executed by Burial Board; and for the purposes of this Act the expression "the Commissioners" where used in the said Clauses shall mean the Burial Board acting in the execution of the said Clauses and the Acts herein-before recited or this Act.

Sinking Fund to be providedfor paying off mortgages.

XX. Provided always, that for the purpose of providing a Sinking Fund for paying off the principal money borrowed on mortgages granted under any of the said Acts or this Act, the Burial Board shall once in every year set aside, out of the moneys charged by such mortgages, such sum as they think proper, being a sum equal to or exceeding one fiftieth part of the principal money so borrowed.

Power to Burial Boards to borrow money on terminable annuities.

XXI. Any Burial Board or Council of a Borough may, for the purpose of raising money, instead of making mortgages under any of the said Acts, grant terminable annuities for a Life or Lives, or for any number of years not exceeding thirty years, to be paid out of the like moneys as provided with regard to the moneys secured by such mortgages.

Power to Councils of Boroughs to make a separate rate for bnrial and expenses.

XXII. Any money required by the Council of any Borough for the purpose of defraying the expense of executing the Acts herein-before recited, or any of them, or this Act, or for paying any moneys borrowed under such Act, or any interest thereon, may be raised by such Council, if they think fit, by means of a separate rate, to be called a Burial Rate, to be charged upon all property within such Borough liable to be charged to the Borough Rate; and the Council of such Borough shall have all such powers for making and levying such rate, and all provisions shall be applicable in respect thereof, as in the case of a Borough Rate made under the Act passed in the Session holden in the fifth and sixth years of King William the Fourth, Chapter seventy-six.

XXIII. It shall be lawful for Her Majesty, upon

Orders in

the representation of One of Her Majesty's Principal Council Secretaries of State, by and with the advice of Her may be issued, on Privy Council, from time to time to order such acts representate be done by or under the directions of the Church- tion of Secretary of wardens or such other persons as may have the care State, so as of any Vaults or Places of Burial, for preventing to prevent them from becoming or continuing dangerous or being daninjurious to the public health; and every such Order gerous to in Council shall be published in the London Gazette, health. and such Churchwardens or other persons shall do or cause to be done all acts ordered as aforesaid, and the expenses incurred in and about the doing thereof shall be paid out of the Poor Rates of the Parish: Provided always, that no such representation shall be made until ten days previous notice of the intention to make such representation shall have been given to the Churchwardens or other persons, or one of the Churchwardens or other persons, having the care of the Vaults or Places of Burial to which the representation relates.

XXIV. In all cases in which unconsecrated Land Trustees of or Buildings is or are vested in a Trustee or Trustees, closed either under any Local Act or otherwise, for the empowered, purposes of a Cemetery or Burial Board, and Burials with sancin such Cemetery or Burial Ground shall by Order in tion of Secretary of Council under the herein-before recited Acts or any State, to let, of them have been ordered to be wholly or partially lease, or self discontinued, it shall be lawful for the Trustee or thereof Trustees for the time being of such Cemetery or which have Burial Ground, from time to time, with the sanction not received interments. of one of Her Majesty's Principal Secretaries of State, to let, demise, or lease any part or parts in which no interment shall have taken place of such land or buildings, and to renew or accept surrenders of any leases or tenancies thereof, and to sell and absolutely dispose thereof for money in gross, or for any perpetual or other rent or rents to be made payable thereout, and by public auction or private contract, and to sell all or any such perpetual or other rent or rents for money in gross and in manner aforesaid, and for any of the purposes aforesaid to make and execute any contracts, conveyances, leases, or other assurances, and to take any measures and make any arrangements which may be deemed expedient; and upon any such lease or sale as aforesaid a grant or conveyance by such Trustee or Trustees alone shall

be a sufficient assurance of the property thereby purported to be leased or sold, and the receipts of such Trustee or Trustees shall be effectual discharges for the moneys therein expressed to have been received, and shall absolve any lessee or purchaser from having to see to or being answerable for the application of such moneys; and the net moneys to be received by such Trustee or Trustees under any of the preceding powers shall be applied by them in discharge of any incumbrances affecting such Cemetery or Burial Ground, and any debts which such Trustee or Trustees may have properly incurred in their fiduciary capacity; and any residue of such moneys, shall, where such land or buildings shall have been held in trust for any Parish, be applied in such manner, for the benefit of such Parish, as the Vestry of such Parish shall direct; but where such land or buildings shall have been held in trust for the benefit of private persons, such residue shall be divided by such Trustee or Trustees rateably among the Cestuisque Trusts; and it shall be lawful for such Trustee or Trustees so to apply any reserved fund in his or their hands.

Bodies not to be re-Burial Grounds, save under faculty, without license of

XXV. Except in the cases where a body is removed moved from from one consecrated place of burial to another by faculty granted by the ordinary for that purpose, it shall not be lawful to remove any body, or the remains of any body, which may have been interred in any place of burial, without license under the hand of Secretary of one of Her Majesty's principal Secretaries of State. and with such precautions as such Secretary of State may prescribe as the condition of such license; and any person who shall remove any such body or remains, contrary to this enactment, or who shall neglect to observe the precautions prescribed as the condition of the license for removal, shall, on summary conviction before any two Justices of the Peace, forfeit and pay for every such offence a sum not exceeding ten pounds.

Burial in certain cases purteries which have been glosed.

XXVI. Where any Cemetery in which burials Boards may have, by Order in Council, under the herein-before recited Acts, or any of them, been ordered to be chase Ceme- discontinued, is adjoining or near to any land appropriated or about to be appropriated by any Burial Board for the purposes of a Burial Ground, and appears to such Board eligible for the purpose of

appropriating or erecting buildings for or making approaches to such Burial Ground, it shall be lawful for such Board, with the approval of the Vestry or respective Vestries, to purchase such Cemetery; and where in the like case any Cemetery has been so purchased before the passing of this Act, the purchase thereof shall be deemed to have been lawful: Provided always, that notwithstanding such purchase, Orders in such Order in Council shall remain in full force and council to effect in relation to such Cemetery.

XXVII. No resolution, or proceeding of any Ves- Resolutions, try, or Meeting in the nature of a Vestry, for the &c. of Ves-purposes of the said recited Acts and this Act, or any be void by of them, shall be void or voidable by reason of any reason of defect or irregularity of or in notice of such Vestry irregularity or Meeting, or any other error in form in the call of &c. such Vestry or Meeting, or in the proceedings thereat, unless notice in writing of such defect or irregularity or error shall have been given at such Vestry or Meeting, or within seven days after the day of the holding thereof, to the Churchwardens or other persons to whom it belongs to call Meetings of such Vestry, or such Meeting in the nature of a Vestry, who shall thereupon call another Meeting for the purpose of considering the previous resolution or proceeding or the matter thereof; and no such resolution and proceeding made or taken at any such Vestry, or Meeting in the nature of a Vestry, before the passing of this Act, which shall not have been objected to by notice in writing to such Churchwardens or persons as aforesaid, shall be deemed invalid by reason of any such defect, irregularity, or error.

XXVIII. In the construction of this Act the ex- "Burial pression "Burial Board" shall mean a Burial Board Board." constituted under the herein-before recited Acts or any of them, or under this Act.

XXIX. That the expression "Borough" whenever construcused in the said Act of the seventeenth and eighteenth tion of ceryears of Her said Majesty shall be construed to tain expressinclude any City, Borough, Port, Cinque Port, or in 17 and 18 Town Corporate named in the Schedules annexed to Vict., c. 87. an Act passed in the sixth year of the Reign of King William the Fourth, intituled An Act to provide for the Regulation of Municipal Corporations in England

and Wales, and to any City, Borough, Port, Cinque Port, or Town Corporate incorporated by Charter granted or to be granted in pursuance of that or any subsequent Act; and the words "Town Council of any Borough," or "Council of any Borough," where-ever used in the said Act of the seventeenth and eighteenth years of Her said Majesty, shall (as well with respect to all past as to future proceedings under the same Act, and for the purpose of confirming and making valid all such past proceedings), be construed to mean Town Council or Council of any City, Borough, Port, Cinque Port, or Town Corporate.

Recited Acts and this to be as one. XXX. The herein-before recited Acts and this Act shall be construed together as one Act.

#### REGULATIONS FOR BURIAL GROUNDS,

Provided under the Acts 15 & 16 Vict., cap. 85; 16 & 17 Vict., cap. 134; 17 & 18 Vict., cap. 87; 18 & 19 Vict., cap. 128, &c.

1.—The burial ground shall be effectually fenced, and, if necessary, under-drained to such a depth as will prevent water remaining in any grave or vault.

2.—The area to be used for graves shall be divided into grave-spaces, to be designated by convenient marks, so that the position of each may be readily determined, and a corresponding plan kept on which each grave-space shall be shown.

3.—The grave-spaces for the burial of persons above 12 years of age shall be at least 9 feet by 4 feet, and those for the burial of children under 12 years of age, 6 feet by 3 feet.

4.-A register of graves shall be kept, in which the name, age, and

date of burial in each shall be duly registered.

5.—No body shall be buried in any vault or walled grave, unless the coffin be separately entombed in an air-tight manner; that is, by properly cemented stone or brick work, which shall never be disturbed.

6.—One body only shall be buried in a grave at one time, unless the

bodies be those of members of the same family.

7.—No unwalled grave shall be re-opened within 14 years after the burial of a person above 12 years of age, or within 8 years after the burial of a child under 12 years of age, unless to bury another member of the same family, in which case a layer of earth not less than one foot thick shall be left undisturbed above the previously buried coffin; but if, on re-opening any Grave, the soil be found to be offensive, such soil shall not be disturbed, and in no ease shall human remains be removed from the grave.

8.—No coffin shall be buried in any unwalled grave within 4 feet of the ordinary level of the ground, unless it contains the body of a child under 12 years, when it shall not be less than 3 feet below that level.

#### SUGGESTIONS TO BURIAL BOARDS

PROVIDING AND MANAGING BURIAL GROUNDS, AND MAKING ARRANGEMENTS FOR INTERMENTS UNDER THE BURIAL ACTS OF 1852-3-4-5 AND 7.

#### SITUATION.

The site for a burial ground should be chosen far enough from dwellings, to secure their inmates from danger or annoyance, and near enough to the mass of the population, to avoid as much as possible increasing the cost and inconvenience of conveying funerals a great distance.

Small burial grounds may with propriety be established nearer to a town than larger ones, and nearer to towns which are slowly than to such as are rapidly increasing. It is desirable to choose a site towards which the town is not extending, both because such a situation is not likely to be encroached upon by houses, and because land not in demand for building is cheaper, and more of it may therefore be obtained at moderate cost.

Some burial grounds are much used as public walks, for which purpose they would be useless at too great a distance from the population.

#### SOIL AND DRAINAGE.

The quality of the soil is of great importance. Dry, open soils which readily admit air and moisture, allowing the rain which falls upon the surface to enter readily, carrying air down with it, facilitate decay, and permit graves to be sooner re-opened for subsequent interments. Porous soils, mixed with vegetable mould, absorb and decompose the products of decay, and prevent the escape of injurious emanations, if the quantity of animal matter be not too large in proportion to the area, and if the soil be left undisturbed until decomposition is completed. Dense clay soils are in all respects undesirable; they exclude air and moisture, retard decomposition, and render it improper to re-open a grave, to nearly its original depth, within any reasonable period.

Soils which have no proper mould, and which consist chiefly of stone, may allow of the passage of undecomposed emanations, and it is difficult and expensive to supply the mould in which they are deficient. It is always desirable, before deciding upon a site, to have the soil examined in various places to the depth of at least eight feet.

The neighbourhood of any open reservoir or conduit conveying

water used for domestic purposes should be avoided, and great care must be taken that there are no wells, or small streams supplying water so used, liable to be polluted by drainage from graves.

Land which cannot be effectually drained, so as to prevent water remaining in any vault or grave, or which is liable to be flooded, is unsuitable. Several fatal accidents have been caused by the foul water from a grave or vault bursting in upon another grave made near it. Great reluctance is felt to burying a coffin in a wet grave, and it is very objectionable and sometimes dangerous to bale water on to the surface. In all cases care must be taken not to risk the pollution of water used for domestic purposes.

In some cemeteries clay soil has been improved by mixing, with that with which graves are refilled, sand or gravel, to render it porous. It has been proposed to use burnt clay for this purpose.

#### PATHS AND ROADWAYS.

As burial grounds ought to be conveniently accessible at all seasons of the year, it is very important that the roads be of hard material; and there should be ample provision of footpaths fit to walk upon in the wettest weather.

At Nottingham, Chesterfield, Sheffield, and some other of the midland and northern towns, roads and foot paths for gardens and cemeteries have been formed somewhat resembling asphalte, but very much cheaper. They are made by iron furnace cinder, or other hard material, bound together by gas tar, and sprinkled with sparkling spar to render them ornamental.

#### FENCING AND PLANTING.

The Official Regulations simply require that the burial ground shall be effectually fenced, so that it may be protected from trespassers or from the intrusion of any animals which may injure the monuments, plants, or trees, leaving the sort of fence to be undetermined. High walls are generally objected to as unsightly, unnecessarily expensive, and impeding the free passage of air. Growing vegetation is not only useful for ornament, but for absorbing and rendering harmless the products of putefraction. Trees, by their roots, quicken the process of decay, and enable a cemetery to serve some of the purposes of a public walk or garden, by making it a place of safe and agreeable resort.

As cemeteries are frequented at all seasons, it is well to have a large proportion of evergreen trees, some of which, such as the cypress and yew, are peculiarly appropriate; but there should be mixed with them deciduous trees and some of quick growth, to relieve the bareness of newly enclosed ground.

A suitable disposal of trees or shrubs along roads or pathways would afford shelter to persons visiting graves, and to funeral processions. It is customary in well regulated cemeteries not to bury the dead close to the boundary fence. On many accounts this is advisable, as there is no law to prevent houses being built and wells sunk close to a burial ground.

#### SIZE OF GRAVE SPACES.

The preceding Official Regulations set out the required grave spaces for persons above twelve years of age, and for children under that age, which are sanctioned by Parliament, and are less than have been adopted in many cemeteries abroad. In some Austrian cemeteries the grave space for adults is equal to 90 square feet; at Wirtenberg it is above 54 square feet; at Munich and Stuttgart it is 32 square feet, which is about the area some English cemeteries have adopted, though many of them have much less. The object of a large grave space is, to secure such a quantity of soil as will effectually absorb the gases of decomposition, and such a separation between the graves as will prevent risk of the soil falling when the next grave is dug. The space left at the head of the grave affords room where a monument may stand undisturbed.

#### DEPTH OF GRAVES.

If bodies are buried at too small a depth beneath the soil, the emanations may not be effectually absorbed; if at too great a depth, decomposition may be retarded; and if no objection were felt to the future disturbance of mere dry bones, a depth of four to six feet beneath the surface would be the best.

There is, however, so strong and natural a repugnance to having the bones of the dead dug up, that the plan is frequently adopted of burying at a depth of eight to ten feet (if the ground be free from water), with the intention of re-opening the grave after a lapse of time, not quite to its original depth, but as nearly so as is possible without digging up any bones that may remain; thus the same grave may be buried in many times before it becomes so full of bones as to be unfit for further use.

Burial Boards have generally made such ample provision of ground that graves may remain unopened for much longer periods than are fixed by the Official Regulations, and it is therefore probable that the retardation of decomposition in consequence of the depth of graves will occasion no inconvenience.

The principle of interment adopted is that of allowing one body only to be in a grave at the same time, as the rule; more than one, as the rare exception. The exception is the case of family graves, which may be reopened when a death in the same family occurs.

In many country churchyards it has long been the custom to allot to families a space of ground enough for several graves, so that relatives are buried side by side, not over each other, the graves being opened in succession, so that a very long interval must elapse before any such grave is reopened. Burial Boards may adopt a similar plan with advantage; if a family grave space, enough to bury from four to six members of the family side by side, were sold at less than the cost of a walled grave, it is probable many such would be taken. The advantage would be, the family could, at a less cost than that of a walled grave, obtain a permanent family burial place as secure from intrusion and as distinctive, which would serve for generations, and

the Burial Board would receive what is now paid to a bricklayer. This plan is likely to be more acceptable than the use of vaults, if the land is charged for at a price proportionate to its cost. About 200 plots, large enough to permit of the burial of four adults and three children without re-opening a grave, may be laid out in an acre of actual burial surface. For every pound, therefore, charged, in addition to fees, for such plots, the available surface would be disposed of at the rate of £200 an acre, and if offered at a price not much above what is sufficient to cover the cost, so many family plots would probably be sold, that a large part of the first cost of the cemetery would be defrayed without practically being a burden to any one.

If the plan of leaving every other grave unoccupied at first be adopted, opportunity will, to some extent, be given for burying members of the same family in neighbouring graves, and so of gratifying the feelings of the poor without any loss to the Burial Board.

#### RE-OPENING OF GRAVES.

The time necessary for complete decay of bodies buried varies according to the nature of the soil, the depth of the grave, the quality and thickness of the wood of the coffins, the dryness or moisture of the soil, and the age of the body. In an ordinary soil, the bodies of adults decay (all but the large bones) in about ten or twelve years, and of children in about half that time; but in wet clay, coffins are scarcely affected after being buried thirty years, and sometimes very much longer.

It is necessary, to avoid mistakes in the re-opening of graves, and for other important purposes, to keep a register of graves (as well as the register of burials required by the Burial Act), in which are to be recorded the name, age, and date of interment of every one buried in each grave, with reference to the marks in the burial ground, by which it may be identified.

#### BURIALS IN VAULTS, ETC.

Whenever vaults or walled graves are used, the regulations require that in order to prevent the escape of foul air when they are re-opened, that each coffin be entombed. This is generally done by placing immediately over each a flag or slab of stone resting upon a ledge in the wall, and cemented down in an air-tight manner, and never again raised. When this plan is adopted decay is much retarded, the gaseous products escape very gradually through the pores of the cement and brickwork; they are to a great extent decomposed, and appear to be diffused as fast as they escape; for when such vaults are opened the space above the slab covering the coffin is found free from offensive air. This method is not only cheaper but safer than the use of lead coffins, which are not often air-tight, sometimes burst, and are liable to be broken.

The surface of the graves should be covered with fresh turf, or planted with flowers or shrubs. High mounds are undesirable, which are difficult to keep in order; a very small rise will mark the

grave, if that be desired, and will not obstruct the mowing of the grass. Covering stones are objectionable, as they prevent the free entrance of rain into the grave, retard decomposition, and postpone the period for re-opening. Head-stones are free from this objection, but they are commonly made so large and of such forms as to be disfiguring. One of the easiest ways of increasing the beauty of a burial ground is to select a number of good designs for monuments, and to admit none else without special permission, on the design being appointed by the Burial Board.

#### CONVEYANCE OF THE DEAD.

Burial Boards are enabled by the 41st section of the Act of 1852, to make arrangements for facilitating the conveyance of the dead to the burial ground. Some boards have procured hearses, others have entered into contracts for the supply of hearses and carriages at a fixed price, accepting the offer they considered most for the benefit of the public.

RECEPTION HOUSE.

The establishment of a place appropriate for the reception of the dead previous to interment would in some cases facilitate the conveyance of funerals and relieve the poor from risk of injury by the occasional long retention of the bodies of the dead in crowded dwellings, especially in cases of death from infectious disease, such as smallpox, scarlet fever, &c.

The 42nd section of the Burial Act of 1852 authorises the establishment of such places, and much valuable information on the subject is contained in the Supplementary Report on the Practice of Interments in Towns of 1843. From a statistical inquiry instituted and carried out at the expense of the Earl of Harrowby, by Mr. Weld, Secretary of the Statistical Society, "It appeared that "1,465 families of the labouring classes (in the inner ward of Saint "George's, Hanover-square) had for their residence 2,175 rooms and "2,510 beds," and 623 out of 1,465 families had only one bed each.

When death takes place in such overcrowded living-rooms the corpse is laid out and kept, until the period of interment. It is sometimes stretched out on two chairs; or it occupies the only bed in the room; the inmates pursue their avocations around it; they eat beside it; the children play beside it; oftentimes the corpse is in an advanced state of putrefaction before it is removed for burial; \* offensive putrid effluvia are disengaged, and the spread of disease in consequence is no unfrequent occurrence. During epidemics all these evils are of course greatly aggravated.

The object is to enable reception-houses for the dead to be provided wherever the local circumstances similar to those mentioned may appear to render such provision necessary. The use of these houses is optional; and hence it is advisable, wherever they are established, to make them attractive both in external appearance and in internal arrangements and management.

<sup>\*</sup> A case has been mentioned to one of the Inspectors, in which the body of a child, who died on 16th April, 1857, was not buried until the middle of June.

#### SIZE OF BURIAL GROUNDS.

The proper size of a burial ground depends upon the number of deaths rather than on the amount of population, as the death rate varies considerably according to the sanitary condition of the district and other circumstances. The burial space actually required may be approximately estimated from the following data.

1st. The probable number of burials, making allowance for increase of population.

2nd. The size of the grave spaces, which may be made on the average rather more or rather less than three square yards, according as the proportion of deaths among children is less or more than half of the total deaths.

3rd. The interval which must elapse before the graves can with propriety be re-opened, which partly depends upon the proportion of the deaths of young children, as the bodies of the young decay most rapidly; and partly on the character of the soil.

In addition to actual burial surface, some space, which is seldom less and often much more than one-sixth of the whole, will be wanted for approaches, roads, paths, sites for buildings, and for ornamental planting.

Burial Boards have rarely thought it expedient to obtain no more land than would merely permit observance of the official regulations, but have almost invariably obtained enough to allow of much more lengthened periods for graves to remain unopened.

The friends of persons buried in closed burial grounds sometimes desired to have them removed to the new burial grounds. This will henceforth be illegal without the licence of the Secretary of State. The removal of only partially decayed remains cannot be safely effected without very carefully observed precautions.

It may sometimes be expedient to obtain, as the entrance to a new burial ground, or as sites for chapels or other buildings, an old burial ground which has been closed. Care will be requisite that no no soil in an offensive condition or human remains be disturbed in digging foundations for buildings or otherwise.

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## THE CITY OF LONDON CEMETERY, LITTLE ILFORD, ESSEX

The Cemetery established for the City of London, consists of about 90 acres, situate in the parish of Little Ilford, in the County of Essex. The expense of laying out the grounds and erecting chapels thereon, amounts to £75,000. Although finished some time in consequence of some misunderstanding with respect to incumbent's fees, now settled by the Act of the Session of 1857, the consecration of that portion devoted to the church did not take place till the 16th November of that year. This Cemetery has been constructed ostensibly for the City of London.

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For an Adult cell fo	r 1 coffin											£10		
For Adult cells for	2 coffins .											20	0	0
,,	3 ,, .											30	0	0
	1 ,, .											38		0
	) ,, .											47	0	0
,,	,, .									Ada	lt.	56 Child	0	0
Fees on Interments	as ahovo								. 2		0		15	0
rees on Interments	as above		•		-			-				1		-
		Siz	ze of	Gro	and.	Fir	st C	lass.	Seco	nd (	Class.	Thir	d Cl	ass
		ft	in.	ft.	in.	£	s.	d.	£	8.	d.	£	8.	d.
For Ground suffici	ent for a	10.	111.	10.		-			1			-		
		9	0 1	y 6	6	12	12	0	11	11	0	8	8	0
Vault For Ground suffici	ent for a	-		,, ,		1000	17.50					1		1000
Brick Grave		9	0	,, 4	0	10	10	0	8	8	0	6	6	0
For Ground for a Pri	vate Grave.	1	-	"										
including the right									120					
tomb stone, mon												1		
enclosing and plan		6	6	,, 2	10	4	0	0	3	3	0	2	10	0
For Ground for a Pri														
with the same private			6	,, 2	6	3		0	2	15	0		15	0
Extra Ground per fo	ot super .					0	10	0	0	7	0	0	5	0
-	ees on In	ter	me	nte	95	ahe	owe.			A del		Child t	mdai	- 10
In Private Vaults .													10	0
In Brick Graves .									. 2	2	6		7	6
In Private Graves in	select place	es							. 1	0			11	0
In Private Graves in	General G	rour	nd								0		7	0
For Common G										orori	ne (	Zwo w	00	
											6		8	6
Second Class .					•	•			. 0		6			6
												0	*	U
To Catacombs, each	emovals f	ron	n o	chei	. Pl	ace:	sor	In	cerm			,	10	0
To Private Vaults	comm .			•	:				. 2	0	0	1	10	0
To Brick Graves	,,								. 2	0	0		10	0
To Private Graves	,	•							1	0			15	
	The same of the sa											U	10	U
TOP the	Construc	CIO	н о		aurt	B aı	ad I	SFIC	In m			In ce	ment	
									includ	ing f	lat	includ	ing f	lat
For building a Priva	te Vault cor	nple	ete f	or 1	2 00	ffins			overin	g sto	ne. c	overin 31	g sto	ne.
Ditto	ditto		1	J. 1	6	,,			. 18	0	0	23	0	0
For excavating per			Brig	ek (	-	es o	r V	ault				20	0	0
erected by perso	ng' own hui	Ide	PCI.						. 0	3	3			
	THE CHILD	THE ST								4.7				
Sewers' Office, Guil		ilue		•				TO	SEP			T 0		

<sup>\*</sup> These charges are the ground fees only, the incumbent's fees have to be added. The will be found at the end of the City of London Act, page 85.

## SAINT PANCRAS CEMETERY, FINCHLEY.

Two Miles from the Northern Boundary of the Parish.

ESTABLISHED UNDER THE 15th & 16th Vic., c. 85.

CLERK'S OFFICE, - Vestry Rooms, King's Road, Pancras Road.

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The Parochial Cemetery of St. Pancras was the first established under the Metropolis Burials Acts. It is situate in a most commanding and beautiful position at Finchley, having a frontage of many hundred yards on the eastern side of the main Barnet Road, about two miles beyond the Gate House at Highgate, which is the northern boundary of St. Pancras Parish. The necessity for increased cemetery accommodation for this extensive and most populous parish in the metropolis was felt long before the passing of the Act 15 & 16 Vict., cap. 85. Such necessity is exhibited by the following facts:— One hundred years ago St. Pancras was a rural parish, with a population at that time scarcely averaging the present number of the inmates of the parochial workhouse (about 1,400). Its population is now nearly 180,000, and is believed to be increasing at the rate of 5,000 annually.

The Cemetery of St. Pancras at Finchley was consecrated by the Bishop of London on the 25th day of July, 1854, and since that period there has been 5,000 paid, and about 2,000 poor, interments in the Cemetery. The amount of land originally purchased by the St. Pancras Burial Board consisted of 871 acres, at the rate of £200 per acre, and the purchase money paid to the Rev. E. Cooper, the previous freeholder, was £17,690 16s. 9d.; compensation for tenants' rights on leaving, £289 7s. 5d.; conveyance, £131 16s. 7d.; land tax redemption, £186 1s. 1d.; total cost of land purchase, £18,297 19s. 10d. Of the  $87\frac{1}{2}$  acres before mentioned, the Burial Board of St. Pancras sold 30 acres to the Burial Board of St. Mary, Islington, at the rate of £300 per acre, producing £9,000. Fifty acres were then appropriated for the purposes of a cemetery, 30 of which have been consecrated, and the remainder devoted to non-conformist interments. The residue of 7½ acres is reserved for building purposes, if deemed advisable, being in the main road. The cost of erecting an episcopal and dissenting chapel, board room, lodges, iron gates, and making the necessary roads, drainage, erecting viaduct, laying out the Cemetery, &c., was £22,308 13s. 8d. There has, however, been additional waiting rooms attached to the chapels, erected at a cost of £750, increasing the expense of the buildings and laying out to £23,308 13s. 10d., and making the gross outlay on the purchase of the land, laying out the grounds, and construction of the buildings, £41,606 13s. 8d. In order to effect the purchase, ornamentation and construction of the Cemetery, the Burial Board, under the provisions of the Act, borrowed £25,000 of the Provident Life Office, and £12,000 of the Public Works Loan Commissioners, payable by instalments with interest in 20 years.

In reference to the general character of the St. Pancras Cemetery at Finchley, Dr. Sutherland in his report to Lord Palmerston, then Secretary of State for the Home Department, dated Whitehall, July 1st, 1854, remarks "The site for this new burial ground for St. Pancras is in the parish of Finchley, not far from the village of east end. The distance of the ground is so close to the limit of two miles from the nearest point of the metropolis, as defined in the Metropolis Burials Act, that it could not be determined with accuracy, whether the ground is beyond the limits, within which your lordship's sanction is required by the Act, unless by actual measurement. The site is on the right hand side of the Barnet Road, on ground sloping towards the north, and having a considerable fall from its highest to its lowest point. The natural conformation of the surface is unusually favorable for the purposes of a cemetery, and will admit of much decoration in laying out. The soil consists of loamy clay mixed with gravel. The mortality of the parish of St. Pancras in a seven years average has been 222 per annum in 10,000 which would make the average annual mortality at the present time 3,951, The amount of

accommodation which the area of 50 acres would afford for this number would of course depend upon the nature of the soil, which I have already stated to be loamy clay mixed with gravel. There are better soils than this, but taken as a whole, it is perhaps the best selected by any Burial Board within the metropolis, and the drainage now being carried out will improve it materially. I am inclined to believe that a period of fourteen years would be sufficient to effect the decay of a corpse in such soil, and this being the case, 50 acres will be sufficient to bury not only the present amount of dead of St. Pancras parish in perpetuity, but it will afford accommodation for a considerable increase of the present population." The Resident Superintendent is Mr. John Kissick.

#### FEES AND CHARGES FOR INTERMENTS.

	In	terme	nts	of	Parish	ione	ers.				hur	20.00		hape	
First Class	(Adults)									2	roun 2	0	1	roun 11	6
Second Class										1	5	0	1	0	0
Third Class	"									0	15	0	0	12	0
	Inter	ment	s of	N	on-Par	ishi	oners								
First Class	(Adults)									3	3	0	2	2	0
Second Class	,,,									1	17		ī	5	0
Third Class										1	2	6	0	15	0
	No e	xtra cl	narge	for	Church	n Bel	1, &c.								
Orders for Interments to be given and fees paid at the Clerk's Office, Vestry Room, Pancras Road.															
Orders also	received	by Mr	. R.	Le	ttice, A	cting	Pari	sh C	lerl	c, a	t t	he	200		
Vestry Room Road.	, St. Pane	ras No	ew Cl	hur	ch, or a	t his	Reside	ence,	134	, E	usto	on			
Itoau.															
Ground for a	Single Pr	ivate (	Frave	, 6	ft. 6in. 1	by 2ft	t. 6in.	in t	he						
clear of I	Brickwork Head Sto	, and 7				_		-	ng	3	3	0	2	2	0
For a Double			6ft. 6	in.	by 4ft.	in t	he cle	er ar	be						
9ft. deep										5	15	6	4	4	0
For a Private	Grave, 6f	t. 6in.	by 6	ft.	6in., an	d 9ft	. deep			11			8	8	0
For a Private	Grave, 6f	t. 6in.	by 9	ft.,	and 9ft	dee	p			15	15	0	12	12	0
	An	extra c	narg	e IC	or Step	Entra	ance.					-			

A deduction of one-third is made in either Ground for Children under Twelve years of age.

The above charges in both Grounds includes the Burial Service, for the performance of which Ministers are provided.

N.B.—One clear day's notice of all Funerals must be given at the Burial Board Office, Vestry Hall, King's Road, St. Pancras Road, before 4 o'clock p.m.

Office hours from 10 till 4 daily.]

CHARLES GREENE, CLERK

#### ST. MARYLEBONE CEMETERY, FINCHLEY

This Cemetery is situate on the road leading from the New Finchley Road to the High Road to Barnet, and overlooks the Hampstead and Highgate Hills; it contains an area of 25 acres, and was purchased for £5,000, the erection of the Episcopal and Nonconformist Chapels, Lodges, &c., was effected at a further cost of £9,000, exclusive of the amount paid for laying out the ground, forming roads, &c. The ground is a loamy clay, and its undulating character, with the flowers and shrubs with which it is tastefully ornamented, gives the whole a very picturesque appearance. The Resident Superintendent is Mr. J. B. White.

SCALE OF CHARGES

	SCA	LLI	2	O F	C	H.	AR	GE	S.											
			III	INTERMENT FEES.																
					Brick- work in			Par	ish	ione	rs		Non-Parishioners.							
CONSECRATED.	G	i		Ground.			orta ludi t Sto	r,	A	dul	t.	un	hilder	10	A	dul	t.	un	Chile	10
	-		-	-		7	-	-	7	-		-	-	_	_	-		-		
D:16 6 10 C-ff 3	£	8.	d.	ti	8.	d.	£	8.	d.	£	8.	d.	£	8.	d.	£	8.	d.		
Brick Grave for 12 Coffins, 9ft. by $6\frac{1}{2}$ ft. (two tiers of 6 each)	18	0	0	22	0	0	3	3	0	2	2	0	4	4	0	3	3	0		
Step Entrance to ditto, 9ft. } by 6½ft. (if required)	18	0	0	17	0	0														
Brick Grave for 6 Coffins, 9ft. by 4ft }	12	12	0	18	0	0	3	3	0	2	2	0	4	4	0	3	3	0		
Step Entrance to ditto, 9ft. by 4ft. (if required) }	12	12	0	12	0	0														
Private Grave, with privi- lege of placing Monument or Grave Stones, 7ft. deep	3	3	0				2	2	0	1	5	0	3	3	0	1	15	0		
6ft. 6in. by 2ft. 6in J Ditto, in select places -	4	4	0		-025		2	12	6	1	15	6	3	13	6	9	5	0		
Interment in a separate 1	1		0					10	0	1	0	0	2	2	0		10	0		
Grave (not in perpetuity) \( \) Ditto with Register Stone \( \)	10																	0		
for name		••			••		2	10	0	2	0	0	3	0	0	2	10	U		
Grave }		••			••		0	12	0	0	10	0	1	5	0	0	18	0		
UNCONSECRATED.	£	8.	d.	£	8.	d.	£	8.	d.	£	8.	d.	£	8.	d.	£	8.	d.		
Brick Grave for 12 Coffins, 9ft. by 6½ft. (two tiers of	15	5	0	22	0	0	2	17	0	1	16	0	3	12	0	2	11	0		
six each) J Step Entrance to ditto, 9ft. $\frac{1}{2}$ by $6\frac{1}{2}$ ft. (if required) - $\frac{1}{2}$	15	5	0	17	0	0									- 9					
Brick Grave for 6 Coffins, 9ft. by 4ft }	9	19	6	18	0	0	2	17	0	1	16	0	3	12	0	2	11	0		
Step Entrance to ditto, 9ft. by 4ft. (if required) }	9	19	6	12	0	0														
Private Grave, with privi- lege of placing Monument	2	8	0				1	16	0	0	19	0	2	11	0	1	3	0		
or Grave Stones, 7ft. deep 6ft. 6in. by 2ft. 6in						16										49				
Ditto, in select places -	3	9	0				2	6	6	1	9	6	3	1	6		13	0		
Grave (not in perpetuity)		••			••		1	5	8			8	1	13	4	1	1	4		
Ditto with Register Stone for name		••					2	5	8	1	15	8	2	14	4	2	1	4		
Common Interment in a Grave }							0	7	8	0	5	8	0	19	8	0	13	8		

#### FOR EXTRA DEPTH AND RE-OPENING PRIVATE GRAVES.

			£ 8.	d.					£ 8.	d.
Beyond 7 feet to 8 feet		-	0 2	0	Beyond 7 feet to 15	feet	-	-	0 18	6
0	-	-	0 4	0	,, 16	,,	-	-	1 1	6
,, 10 ,,	-	-	0 6	0	,, 17	,,	-	-	1 4	6
" 11 "	-	-	0 8	6	,, 18	,,	-	-	1 7	6
19	-	-	0 11	0	,, 19	,,	-	-	1 10	6
13	-	-	0 13	6	,, 20	,,	-	-	1 13	6
,, 14 ,,	-	-	0 16	0		-				

#### EXTRA FEES.

On Interments at any other hour than between 2 and 4 o'clock, the time appointed by Regulations	0	7	6
Opening and closing Brick Grave	1	1	0
Iron Bearers, or landing to ditto on re-opening	1	1	0
Moving and replacing Gravestones	0	5	0
For interring Stillborn Child	0	2	6
For extra Ground beyond the size of Private Grave, per square foot	0	8	0
Ditto ditto of Brick Grave or Ground reserved for Monuments, per square foot	0	10	6
Turfing Graves, per annum	0	2	6
Entry of Grant of Private Graves	0	2	6
Certificates of Burial	0	2	6
Examining the Register One Year (each additional Year 6d. extra)	0	1	0

#### REGULATIONS.

ALL fees and charges to be paid at the office of the Burial Board, and the

names, abode, and age of the deceased to be stated when the order is given.

Notice of interment to be given before 12 o'clock at noon, two days preceding the proposed interment; and for interments on a Sunday and Monday, notice must be given on the preceding Friday; and if in a brick grave to be constructed, four clear day's previous notice to be given at the office.

The payment of the interment fees for the consecrated ground will provide for the full desk service in the Episcopal Chapel. In the unconsecrated part of the ground is a Chapel in which a minister of any religious denomination chosen by

the friends of the deceased may solemnize burial service.

All interments to take place between 2 and 4 o'clock, otherwise additional fee to be paid. Christmas-day and Good Friday there will be no interments.

No interments in any vault or brick grave, except in coffins of lead.

Wooden coffins to be used in common graves not purchased.

No coffin, except in lead, can be removed after 12 months from the date of burial. Gravestones and monuments (the register stone provided by the Board excepted), to be erected only over graves in which the exclusive right of burial is purchased.

A drawing of every intended monument, and a copy of proposed inscription,

must be submitted to and approved by the Board, and filed at the office.

Monuments or gravestones to be erected within one year after purchase of exclusive right of interment in any grave, otherwise the same not to be considered private, and exclusive right to be forfeited, unless license for further time be obtained from the Board.

Headstones not in any case to exceed 4 feet in height from the surface of the ground.
All monuments, gravestones, vaults, and places of burial to be kept in repair by
the owners, or the grant of the grave to become forfeited.

Certificates of burial in this ground can only be obtained by application at the office.

—Office hours from 10 until 2, Sundays, Christmas-days, and Good Fridays excepted.

W. E. GREENWELL, CLERK.

Office, - Court House, St. Marylebone.

# SAINT MARY, ISLINGTON, CEMETERY, AT FINCHLEY,

FOR BURIALS IN CONSECRATED AND UNCONSECRATED GROUND,

TWO MILES FROM THE BOUNDARY OF ISLINGTON.
Incorporated by Act of Parliament of 15th and 16th Victoria, cap. 85.

OFFICE:-1, Hornsey Row, Upper Street, near Canonbury Lane.

Information respecting Interments, Monuments, Turfing, Planting, may be had at the Clerk's Office, or at the Registrar's Office, at the Cemetery, Finchley.

The Islington Cemetery consists of 30 acres, and is part of the same land originally purchased by the St. Pancras Burial Board, and adjoins that of St. Pancras, the soil being in most respects of a similar character. It is very neatly laid out, and the planting is exceedingly ornamental. The expenses attending the purchase and laying out of the same are as follows:—Purchase of land, £9,000; conveyance and law charges, £145; buildings, making roads, drainage, iron gates, rails, chains, &c., £8,900; architects' and surveyors' charges, &c., £750; planting, £880; consecration expenses (share of), £75, three-eighths of principal sum of £11,604; the cost of erecting chapels, making two main roads, and erecting Board Room as per agreement with St. Pancras Burial Board, £4,351 10s.; total cost of Cemetery, £24,101 10s.—Resident Superintendent, Mr. RILEY.

							secrat		ncon	secra	ited
		THE STREET					round			round	
		TABLE	OF F	EES.			al Bo			arge:	
						43		d.	£	S.	d.
For the I	nterment of a Pa	arishioner, 1	1st Class.	Adult		. 1		6	ĩ	4	6
Ditto	ditto	1st Class,	Children	under	12 year	s 0	16	6	-	16	6
Ditto	ditto	2nd do.	Adult .				17	0		17	0
Ditto	ditto		Children				11	0	-	îi	0
Ditto	ditto	COME TO	Adult .					0	0	7	0
Ditto	ditto		Children			. 0		8	0	4	8
Day the T				1 A	774		-			0	-
	nterment of a No							0	2	2	0
Ditto	ditto	1st Class,	Children	under	12 year	8 1	8	0	1	8	0
Ditto	ditto	2nd do.	Adult .			. 1	5	0	1	5	0
Ditto	ditto	ditto	Children					- 6	0	16	6
Ditto	ditto	3rd do.	Adult .			. 0	13	0	0	13	0
Ditto	ditto	ditto	Children			. 0	8	6	0	8	6
	Purchase of	Ground fo	or Priva	te Gra	aves o	r Va	nlt	q.			
For a Duit									7	7	0
	vate Grave, 2nd							0	1	1	0
Ditto or V	ault, 1st Class, 3					rk 2	5	6	2	5	6
Ditto d	litto ditto 6f	t. ,, 7ft. 6in	1.	ditto		4	6	0	4	6	0
Ditto d		t. ,, 7ft. 6in				7	2	0	7	2	0
2100	An extra ch						_			-	
Annual Control	zin eatra cr	iar ye for ea	caoacton	9 501	u Di ten	· · ·	uee.				

In the Consecrated Ground the Vicar provides a Chaplain for the Performance of the Service: the following is the Table of Fees to which he and the Parish Clerk are entitled, in addition to the Burial Board Charges.

						Vica		Paris	h Cle	rk.
For the	Interment of a Parishioner,	1st Class,	Adult .		0	6	0	0	1	0
Ditto	ditto	1st do.	Children		0	4	0	0	1	0
Ditto	ditto	2nd do.	Adult .		0	4	8	0	1	0
Ditto	ditto	ditto	Children		0	3	2	0	1.	0
Ditto	ditto	3rd do.	Adult .		0	4	2	0	1	0
Ditto	ditto	ditto	Children		0	2	10	0	1	0
For the	Interment of a Non-Parishi	oner, 1st (			0	9	0	0	2	0
Ditto	ditto	ditte	child	ren	0	6	0	0	2	0
Ditto	ditto	2nd	do. Adult		0	7	0	0	2	0
Ditto	ditto	ditt	o Child	ren	0	4	8	0	2	0
Ditto	ditto	3rd d	lo. Adult		0	6	3	0	2	0

										Vice	r.	Pari	sh Cl	erk
-	Section 1	1001 200							£	8.		£		
For the	Interment	of a Non-	Parishio	ner, 3	3rd Cl	ass,	Child	lren	0		2	0	2	0
For a P	rivate Grave		3rd Class	, 2ft.	6in.	by 6ft	. 6in		1	1	0			
Ditto	or Vault	1st		3ft.										
Ditto				6ft.		,, 7ft				17	0	0	5	0
Ditto	ditto	do.	ditto	9ft.		,, 7ft	. 6in		5	5	0	0	5	0
In the T	Unconsecrated	Ground,	in case th	ne Par	ties d	lo not	prov	ide t	heir	ow	n M	linist	er, t	he
	of one can be		pon applic	ation t	to the	Clerk								
			of	a sma	ll Fee									
Charges	s for Extra	Depth :	and Reo	penin	g Pr	ivate	Gra	ves,						
	m 7ft. to 10f								£0	1	6	per	foot	t.
Ditto		ditto			from	10ft.	to 1	4ft.	0	2 3	0		tto.	
Ditto		ditto			,,	14ft.	,, 1	7ft.	0	3	6		tto.	
Ditto		ditto				17ft.				5	0		tto.	
Ditto for	r Excavating	Ground	for a Bric	k Vau						12	0			
Ditto		ditto				t. ,,				0	0			
Ditto		ditto				t. ,,					0			
-		16	xtra Fe	00 01	ad Oil	0000	o.c.						-	-
Early or	r late Intern	nents .	20100 20	05 01		100	ca.					£0	7	C
	Screen .											0	7	6
Opening	g and closing	Brick G	raves									1	1	0
	and replacin											0	5	0
	g still-born						100					0	2	6
	ra Ground fo						or co	111010	o fo	ot			8	_
TOI CAU	d Ciround I	L PITTAGE	CITATOS (	TITO	TI CELLIS	11000	ACT DE	quar	10	Or		0	0	0

#### REGULATIONS.

Entry of grant of private Graves, and conveyance of Ground

Examining Register, not exceeding one year .

0

0

0

6

6

0

1. All fees and charges to be paid at the office of the Clerk, and the names, abode and age of the deceased, with the name and address of the undertaker, and the day and hour of proposed burial, to be stated when the order is given, and the Registrar of Deaths' certificate produced.

2. Notice of interment to be given before 4 o'clock P.M., one clear day before the proposed interment; and for interments on a Monday, notice must be given on the preceding Friday; and if in a brick grave to be constructed, four clear days' previous notice to be given at the office.

3. All interments to take place between 2 and 4 o'clock, otherwise an additional

fee to be paid.

Planting with Flowers

Each additional year

Certificates of Burial (each)

4. No interments in any vault or brick grave except in coffins of lead.

5. None other than wooden coffins to be used in common graves not purchased.
6. Gravestones and monuments to be erected only over graves in which the exclusive right of burial is purchased.

7. A drawing of every intended monument, and a copy of proposed inscription, must be submitted for the approval of the Burial Board, and filed at their office.

8. Monuments or grave stones to be erected within one year after interment in any grave, otherwise the same not to be considered private, and exclusive right to be forfeited, unless license for further time be obtained from the Board.

9. All monuments, grave stones, vaults, and places of burial, to be kept in repair by the owners, or the grant of the grave to become forfeited, if neglected for a period of five years.

10. Certificates of burial to be obtained by application to the Registrar at the Cemetery.

11. No head stones of Soft York, Caen or Bath Stone, admitted in the ground.

12. The Registrar's certificate of the death of the person to be buried, or the Coroner's warrant, where an inquest has been held, must be given to the Registra at the Cemetery.

JAMES TAYLOR, CLERK.

## PADDINGTON CEMETERY, KILBURN. Office, -6, Park Place, Paddington Green.

The Cemetery for the parish of St. Mary, Paddington, is situate in Willesden Lane, Kilburn, but a short distance from the population of this vastly improving district of the metropolis. It consists of 25 acres tastefully laid out, and proportionately divided between conscerrated and nonconformist grounds. The cost of the purchase of the ground was £5,000; cost of building two chapels, two lodges, and boundary wall, £7,800; roads and paths, £4,000; sundry law expenses, &c., £1,000; total cost of purchase and constructing Cemetery, buildings, &c., £17,800. The soil is of clay.

TABLE	OF	FEES.
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TABLE OF THES.						
	Pari	ishio	ner	Pari	Non-	ner
FIRST GROUND.	To Ballo		775	£		
Ground for Brick Grave, 9ft. by 6ft. 6in	16		0	20		0
Ground for Brick Grave, 9ft. by 4ft	13	0	0	16	0	0
For right of erecting Tomb, Flat, or Head and Foot						
Stones, 6ft. 6in. by 2ft. 6in	3	3	0	4	4	0
Interment Fee for Adults	3 2	3 2 8	0	3	0	0
Ditto ditto Child under 10 years	1	8	0	2	0	0
SECOND GROUND.						
For right of erecting Tomb, Flat, or Head and Foot	A CONTRACTOR OF THE PARTY OF TH					
Stones, 6ft. 6in. by 2ft. 6in.		2			3	0
Interment Fee for Adult		10			0 10	
THIRD GROUND.	1	U	U	1	10	U
Interment For for Adult		7.	0	7	70	0
Interment Fee for Adult	0			1 1		
- Child didde to your to the	1 0	10	0	1	-	-
For Extra Depth and Re-opening Private Gra	aves	3.	8.	d.		
7 feet to 10 feet			2	0 p	er f	oot.
15 fact to 20 fact			2	0	22	
For excavating Ground for large Brick Graves beyond 10 fe	et t	he	dent	h st	ated	l in
Regulations, 15s. per foot.			dop.			
For excavating Ground for small Brick Graves beyond 10 fe	eet, t	he	dept	h st	ater	l in
Regulations, 10s. per foot.						
Extra Fees and Charges.		12			8	. d.
On Interments at any other hour than between 2 and 4 o'cl	ock,	the	tin	ie ,	0 ,	
appointed by Regulations Opening and closing Brick Grave Iron Bearers or Landing to ditto on re-opening					1 1	0
Iron Bearers or Landing to ditto on re-opening					1 1	0
Iron Bearers or Landing to ditto on re-opening  Moving and replacing Gravestones  Interring still-born Child  For extra Ground for Private Graves, per square foot					0 5	. 0
Interring still-born Child				. (	0 2	2 6
For extra Ground for Private Graves, per square foot .				. (	0 8	3 (
Extra Ground for Brick Graves or Monuments, per square	foot			. 1	0 10	) 6
Turfing Graves, per annum					0 2	6
Cortificates of Parial (each)			1		0 2 0 2 0 2 0 1	0
Examining Register not exceeding one year					0 7	
Entry of Grant of Private Graves  Certificates of Burial (each)  Examining Register, not exceeding one year  Each additional year	-	- 1	-		0 (	) 6
All fees and charges to be paid at the office of the Cler		d s	Sext	on		, ,
Place Terrace, Paddington Green, and the names, abode an						
with the name and address of the Undertaker, and the day						
busial to be stated when the order is given				-		

ROBERT FORD, CLERK.

burial, to be stated when the order is given.

#### LAMBETH CEMETERY,

Tooting, Surrey.

#### OFFICE-VESTRY HALL, KENNINGTON GREEN.

The Lambeth Cemetery, situate at Tooting, Surrey, is about 5 miles from the centre of the Parish of St. Mary, Lambeth. The purchase of the site, which is in extent 30 acres, was adopted by the Vestry on the 29th September, 1852, in consequence of the crowded state of the Parish Burial Grounds. It is neatly laid out, and there is an Episcopal and Nonconformist Chapel, erected in the Gothic style of architecture, with entrance lodges. The total cost being £22,000. The soil consists of gravel from 3 feet, and below that of stiff clay.

#### TABLE OF FEES.

	First Ground.	Second Ground.	Third Ground.
	£ s. d.	£ s. d.	£ s. d.
Single Interment in Consecrated Ground,	1 16 6	1 4 0	0 13 0
Ditto, Child under Ten years of age	1 4 6	0 16 6	0 9 6
Private Grave, 6ft. 6in. by 2ft. 6in Ditto with privilege of placing Head and Foot Stone, Flat Stone, Inclosure, or Monument	4 4 0	3 3 0	
Ditto with privilege of placing Head and Foot Stone		WEST AND	2 10 0
Extra Ground, beyond the size of Grave, per square foot	0 6 0	0 6 0	0 6 0
Single Interment in Unconsecrated Ground, Adult	1 7 0	0 17 6	0 10 6
Ditto, Child under Ten years of age	1 0 0	0 12 0	0 8 0
Fees taken for Dissenting Minister, Adult .	0 6 6	0 4 6	0 2 6
Ditto ditto Child	0 4 6	0 3 0	0 1 1

#### The above Fees include the Desk Service in the Consecrated Ground only.

												2	8.	a.	
Space	for Tablet in	Chapel										5	5	0	
Turfin	g Grave											0	2	6	
	of Grave who											0	2	6	
Excava	ating Earth f	or Brick (	Frave	or	Vault	, per	cubic y	yard				0	3	0	
				8.					d.				8.	d.	
Extra	depth of Gra	ve beyond	6ft.	1	0	beyor	nd 9ft.	4	0	beyond	12	ft.	11	0	
,,	,,	,,	7ft.	2	0	,,	10ft.	6	0	,,	13	ft.	14	0	
			9ft	2	0		11ft	Q	0		14	f+	17	0	

#### REGULATIONS.

For interments on Sunday, notice must be given before 12 o'clock on the preceding Friday. For interments on Monday, notice must be given before 12 o'clock on the preceding Saturday. For interments on any other day, notice must be given before 12 o'clock on the preceding day.

All fees must be paid when the notice of interment is given. A Dissenting

Minister will attend funerals in the unconsecrated portion of the Cemetery.

Monuments and other grave stones must be completed within six months from the time of interment. The designs, with the proposed inscriptions, must be sent to the Clerk of the Board, in order to receive the necessary sanction. Head stones must not, in any case, exceed five feet in height from the surface of the ground.

The times for interments are three o'clock, half-past three o'clock, and four o'clock in the afternoon of every day; but an interment may take place at any other time on payment of an extra fee of 7s. 6d., except on Sundays. The Registrar's certificate of the death of the person to be buried, or the Coroner's warrant where an inquest has been held, must be given to the Superintendent, at the Cemetery.

Office hours from 10 to 4 o'clock

C. M. BARKER, CLERK.

#### ST. GILES'S, CAMBERWELL, CEMETERY,

#### At Forest Hill Road, Peckham Rye, Surrey.

The Cemetery for the Parish of St. Giles's, Camberwell, consists of 22 acres. eligibly situate within the Parish, and having a frontage of 500 feet in the West side of the Forest Hill Road, and of 1,800 feet on Wood Lane, situate at Peckham Rye. It stands on a gradually rising ground, possessing a commanding view of the surrounding country, and is of easy access for interments. The purchase money for the land was at the rate of £445 per acre, and the entire cost of enclosing, draining, erecting Chapels, and other necessary works has been £18,000. Its situation is very attractive, and architecture of the Chapels is much admired. The soil is of clay.

#### CHARGES AND FEES.

	Intern	nent	of F	aris.	hion	ers.				£ 8.	à
In Private Vaults,	Adults									2 0	0
,, Brick Grave	,,									1 15	0
,, Grave	,,									1 5	0
In Common Grave										0 13	0
In Private Vaults, ,, Brick Grave	Adults ,,				:						0
In Private Vaults,	Adults									3 0	0
" Grave	"										0
In Common Grave	,,									1 4	0
A deduction of one-th			ermer years			allow	ed for	Chi	ldre	n unde	er

for Parishioners in addition to the Interment Fees.

For a single Private Grave, 6ft. 6in. by 2ft. 6in., and 7ft. deep, with the right of placing Head and Foot Stone	£ 3	0	0
Ditto in Reserved Ground			
Extra Ground beyond the size of a single Grave, for Vaults, Brick or Private Graves, per square foot	0	5	0

An increase of one-third on the purchase of Graves and Vaults is made for Non-Parishioners.

Further information may be obtained at the Vestry Clerk's Office, or at the Superintendent's Office, at the Cemetery.

G. W. MARSDEN, CLERK.

#### PUTNEY CEMETERY.

The Bnrial Board for this Parish was formed in the year 1854. The Cemetery consists of 3 acres of land, the soil of which is gravel and sand, situate half-a-mile from the town on Putney Lower Common, extending towards the South on the road from Putney to Barnes. The land was purchased of the Lord of the Manor at a cost of £360, and the expenses incurred in the erection of the Cemetery, Chapels, and Lodge, is £2,530, making together a sum of £2,890.

#### CHARGES AND FEES.

The state of the s	Ground.	Interment Fees.	TOTAL.
*	£ s. d.	£ s. d.	£ 8. d.
T-14 00 1 100 0 11		2 10 0	32 10 0
Vault, 9ft. by 12ft. superficial	30 0 0		
Ditto, 9ft. by 9ft. ,,	18 10 0	2 10 0	21 0 0
Brick Grave, 9ft. by 4ft	8 0 0	2 10 0	10 10 0
Private Single Grave, in perpetuity, 6ft. 6in. 1	1 5 0	2 10 0	3 15 0
by 2ft. 6in. in the clear, 7ft. deep	1	The second	TO BETTER OF
Double Private Grave, not bricked, 6ft. 6in. ]	3 17 6	2 10 0	6 7 6
by 4ft. in the clear, 9ft. deep			
Same, 6ft. 6in. by 6ft. 6in., 9ft. deep	9 13 0	2 10 0	12 3 0
Same, 6ft. 6in. by 9ft., 9ft. deep	13 17 0	2 10 0	16 7 0
Private Grave, not in perpetuity, 6ft. 6in. by ]	0 15 6	0 4 6	1 0 0
2ft. 6in. in the clear, 7ft. deep	0 -0 0		
Common Grave, 5ft. deep		0 4 6	0 4 6
Interment by Parish or Union		0 2 6	0 2 6
Extra Fees.	Regis	trar's Fee	S.
£ 8. d.			£ 8. d.
Re-opening Vault 8 8 0 For	Certificate	of Grant	oflo o
Ditto Brick Grave 4 4 0 Va	ult or Brick	Grave .	0 2 6

Extra Fees.				Registrar's Fees.		
Re-opening Vault Ditto Brick Grave Ditto Private Grave Head and Foot Stone	8 4 1	4	0	For Certificate of Grant of Vault or Brick Grave } 0  Searching Register of Burials Ditto, every additional Year	2	d. 6
Coffin Stone Ledger Stone Monument Iron Railing Turfing, per annum Removal of Body from Parish	0 2 6 5 0	10 2 6 5 2	0 0 0 0 6	Each certified Copy of Entry The Grant of the exclusive Right of Burial in a Grave Space, over and above all Stamps	2	6

A deduction of one-third allowed upon the interment fees for children under twelve years of age.

The customary fees to Clerk and Sexton, being reserved by Act of Parliament, are payable as heretofore.

To the above fees (including the customary fees to Clerk and Sexton) one-third will be added for the burial of a non-parishioner.

#### REGULATIONS.

All applications for interments are to be made to Mr. George Pedder, Registrar and Sexton, River Street, Putney. One clear day's notice is required to be given for common grave funerals, and four days for those in vaults, brick graves, and family graves.

All charges and fees demanded are to be paid to the Registrar before any vault or

grave be opened, or any ground broken.

No interments in any vault or brick grave, except in coffins of lead.

All monuments, grave stones, vaults, and places of burial, to be kept in repair by the owners, or the grant of the grave to become forfeited.

## ST. MARY ABBOTTS (KENSINGTON) CEMETERY, HANWELL.

## SCALE OF FEES FOR BURIALS, STONES, &c.

Interment Fees for Burials in the Open Ground.

No. 1.

For the Burial of a Parishioner.

ADULTS.

North Ground.

South Ground.

£ 8. d.

£ s. d.

0 16 0

1 2 6

CHILDREN under 10 Years of Age.

0 12 0

0 15 0

No. 2.

For the Burial of a Non-Parishioner

ADULTS.

North Ground.

South Ground.

£1 12 0

£1 18 0

CHILDREN under 10 Years of Age.

£1 0 0

£1 4 0

No. 3.

For making a Brick Grave.

£ 8. d.

10 8 0

Interment Fees.

£3 3 0

Re-opening Brick Grave for Future Interments.

£3 3 0

No. 4.

Formaking a Double Brick Grave.

£21 8 0

Interment Fees, and Re-opening for future Interments, the same Scale as

No. 3.

For a Flat Stone.

£4 7 0

Extra Fee for Extra Depth of Grave below Six Feet, Two Shillings a Foot.

No. 5.

For Paupers Dying in the Parish

£ s. d.

0 5 0

For a Head and Foot Stone.

£ 8. d.

3 7 0

#### CATACOMBS.

For a Single Interment

£14 0 0

Fee for Tablets to be by special agreement with the Burial Board.

The Cemetery is open to the Public on Week days from 8 a.m., and on Sundays, Christmas days, and Good Fridays, from half-past 1 p.m., and is closed at 7 in the Evening, from the 1st of April to the 30th of September, and at sunset from the 1st of October to the 31st of March.

The receipt or demand of any gratuity, fee, or unauthorised charge by any officer or servant of the Board will subject the party to instant dismissal.

The Clerk of the Burial Board is directed to give information on all points, and in particular as regards the cost of conveyance, to parties desirous to have Funerals respectably and economically conducted.

BARTON ROBART HALL, CLERK.

ABNEY PARK CEMETERY, STOKE NEWINGTON.

Two Miles and a half from Shoreditch Church and the Angel at Islington, and Three Miles and a half from the General Post Office.

Offices,-26, Bishopsgate Street Within, London.

#### SCALE OF CHARGES.

SCALE	0.	E.	C	H	A	RC	才上	5.						-
CAMA CONTROL						rcha			Int	teri	ne	nt :	Fee	s.
CATACOMBS.					of Ca	taco	mbs.		Δ	dult		(	Child	7
Ditto ditto di Ditto ditto di	itto itto itto itto nediato rices; he add l be ch	and ition arg	if nal ed.	Co	o. of ffins. 1 4 8 12 16	£ 10 38 72 103 126	10 0 0 0	d. 0 0 0 0 0 0 0	£ }4	8.	d. 0		s. 12	d. 6
Infant's Catacombs—Interment under 10 years of age	of a	Chi	ild			0	c	0				0	10	c
Public Catacombs—Interment i	n :	:	:		::	6		0	2	2	0	2	12	6
Ditto do. of a Chi	ld und	ler	10			2		6				1	8	0
OPEN GROUND,	Purch	nase		in i	kworl mortan with nding	in	ceme with andir	nt						
Vault or Brick Grave for 12 coffins, 9ft. by 6½ft Ditto for 6 ditto, 9ft. by 4ft Private Grave, with privilege of	20	s. 0 0	0	£ 23 18		0 31 0 23		d. 0 0	}4	4	0	2	12	6
placing tomb, monument, ledger, or head and foot stone, 7ft. deep, 6½ft. by 2½ft Ditto, ditto, 30ft. from the paths in certain spots	3 2	3 2	0						}1	11	6	1	1	0
RESERVED GROUND.						1								
Vault or Brick Grave for	} 18	0		23 18	0	0 31			1	4	0	2	12	6
Grave in certain spots   6½ft. by 2½ ft	} 5	5	0		••••		• • • •		12	2	0	1	8	0
	4	4	0						J					
Common Interment									1	5	0	1	0	0
Interment of a coffin removed fro	m an	v c	othe	er p	lace	of	Buri	al						
to a Private Grave already pure Ditto ditto in Vault of Ditto ditto in Cataco Ditto ditto in Public Removal for the purpose of a con	or Bri mbs, Catao	ck ditt	Gra o bs	ave	:				1 1 2 4	1 11 2 4	0 6 0 0	1 1 2	11 12	0 0 6 6
rechioval for the purpose of a con	ппоп	тип	ern	nen	U				_0	10	0	0	8	0

WILLIAM HEATH, SECRETARY AND REGISTRAR.

# GENERAL CEMETERY COMPANY, ALL SOULS' CEMETERY, KENSAL GREEN, HARROW ROAD, One Mile and-a-half from Paddington.

OFFICES-95, GT. RUSSELL STREET, BLOOMSBURY.

Information respecting Interments, Monuments, Turfing and Planting of Graves may be had either at Offices or at the Cemetery.

#### CHARGES AND FEES

	The same of the sa	ew comb.	Old Cata- comb.	Interme	nt Fees.
	In Iron or Stone.	Size in	In Stone or Iron.	Adult.	Child under 8
CATACOMBS.	£	£	£ s.	£ s.	£ 8.
Private Vault for 1 Coffin (in Stone only)	14	17	10 10	CO. 1000	20 0.
Ditto 2 do. in Stone or Iron	27	33	20	1	Combine Co.
Ditto 4 do	52	64	38		
Ditto 6 do	75	93	55		
Ditto 8 do	96	120	72	1	0.70
Ditto 10 do	115	145	88	5 5	3 10
Ditto 12 do	132	168	103	1	
Ditto 16 do	168		126		100
Ditto - for the whole Vault	199	199			
Ditto under Colonnade for 20 Coffins			110	)	
Interment in Public Vault £4 4s.				4 4	2 16
	Ground	work in Cement includ- ing flat	Brick- work in Mortar, includ- ing flat Stone.		
OPEN GROUND.	0		0		
Brick Grave, for 12 Coffins $\begin{array}{cccccccccccccccccccccccccccccccccccc$	£ s. 21 0 21 0 15 15 15 15	£ 31 21 23 17	£ s. 23 0 17 12 18 0 13 0	} 5 5	3 10
Private Grave, with privilege of placing a Monument or Grave Stones $7$ ft. deep $6\frac{1}{2}$ by $2\frac{1}{2}$	3 3	Extra* Depth		2 2	1 8
Private Gravein Reserved Ground, with privilege of placing a Monument 37ft. deep 6½ by 2½	5 5	Extra* Depth		3 3	2 2
Common Interment in Grave, with Desk	Service			2 2	1 12
REMOVALS FROM OTHER PLACE	S OF I	NTERM	ENT TO	)	The same
Brick Grave	on to the			per coffin do. do. do.	£2 2 1 1 2 2 4 4

On future	Extra Fees.
Interments,	£ s. d.
	On common Interments, if not at 3 o'clock 0 7 6
After the Purchase	On other Interments, before 3 o'clock, and after
of any Vault or	sunset 0 7 6
Grave) the Fees, &c. are to be paid.	Use of large Screen from the Weather 0 10 0
&c. are to be para.	small do 0 5 0
-	For opening and re-closing Vault in Ground 2 2 0
	I OI ODCIIII dille I C CACCALAND , seeme -
*For extra depth	I I III DITTER CTIANG = = = = = = = = = = = = = = = = = = =
and re-opening	I TOH DEALETS TO HO. TOT I'M COMMING, POR NOW
Private Grave,	
beyond seven feet to	THUI DEALETS TO NOT 101 O COMMING POR NO.
Feet £ s. d.	For opening and re-closing Vault under Colonnade
8 - 0 2 0	and Chapels 1 1
9 - 0 4 0	For removing and replacing Head and Foot or Flat
	Stones in Ground 0 0
10 - 0 6 0	For Interring an Unbaptized Child 0 5
11 - 0 8 6	Still-born do 0 5
12 - 0 11 0	Within the Monumental Chambers Tablet space,
13 - 0 13 6	subject in height to the approval of the Company,
	per square foot 1 1 (
14 - 0 16 0	For extra Ground beyond the size of Vault, Brick
15 - 0 18 6	Grave, and Private Grave per square foot 0 8
16 - 1 1 6	Ditto in Reserved Ground 0 12
17 - 1 4 6	Head and Foot Stones, with Inscription not exceed-
	ing 100 Letters 4 4 0
18 - 1 7 6	Beyond that number, 2d. per Letter
19 - 1 10 6	Flat Stone do 5 5
20 - 1 13 6	Turfing Graves, per annum 0 2
	Maintaining the same in perpetuity 4 4
22 - 2 3 6	Trending Creerons por certification
23 - 2 8 6	1 Hittinuming one burne in perpetutel
24 - 2 13 6	Iron Gate, with Lock and Key, to Catacomb in
	Stone 3 10 (
25 - 2 18 6	Brass Plate to Gate, with usual Inscription 1 5
7 7000	Entry of Grant of Private Vaults, Graves, Certifi-
Beyond 25 feet	cates of Burial, each 0 2 (
7s. 6d. per foot.	Examining Register 0 1

No fees whatever are payable by the parties to any parish, from or through

which bodies may be removed for interment in this Cemetery.

The Cemetery is open on week days to the public from 8 o'clock a.m., and on Sundays, Christmas days, and Good Fridays, from half-past one p.m., and is closed at seven in the Evening, from the 1st of April to the 30th of September; and at sunset, from the 1st of October to the 31st of March.

The chapels, catacombs, and monumental chambers can be seen with an order

from the offices; but are closed on Sundays.

Monuments and gravestones erected by the Company if required, and maintained

in perpetuity by special agreement.

Certificates of burial can only be obtained at the offices, 95, Great Russell Street, Bloomsbury. Office hours 9 till 5, Sundays, Christmas days, and Good Fridays excepted.

FREDK. RIVIERE, Clerk of the Company and Registrar.

# LONDON CEMETERY COMPANY, FOR BURIALS IN CONSECRATED AND UNCONSECRATED GROUND.

#### HIGHGATE CEMETERY,

Near Kentish Town, in the Parish of St. Pancras.

#### NUNHEAD CEMETERY,

Near Peckham Rye, in the Parish of Camberwell.

#### CHARGES.

	200	OZZZZZ	ocizzo.								
High	ngate	Cemet	ery.						£	8.	
Terrace Catacombs, for 1 C								1		6	
Ditto for 2								1		0	
Ditto for 3								100		0	
Ditto for 4								1.	24	0	
Other Catacombs for Famil	ies							11	Acc	ordi	ng
Nur	head	Cemet	erv.	- parties	-		-	1 1	o Su	tuati	on-
Chapel Catacombs, for 1 C	offin								15	15	
Ditto for 2 d			M. Hall							0	
Ditto for 3 d										0	
Ditto for 4 d								1	60	0	
				-	-	•	-	-		-	_
Brickwork en including Frat Ston											
In each Cemetery.											1
			-34			£	8.	£	8.	£	8.
Ground sufficient for a Priv	ate Va	alt, for	12 Cof	fins, 9f	t.]	21	0	23	0	31	0
by oit. oin								120		Carrier .	0
Ditto for a Brick Grave, for 6 Coffins, 9ft. 4in 15 15 Ditto for a Private Grave, with right of placing a Monu-1								18	0	23	U
ment or Grave Stones,	6ft 6ir	hy 26	f Gin	7ft doc	1-	3	3	13		100	
Ditto ditto 6ft. 6in.					:b1	4	9				
Ditto ditto, in select place					loon	5	5				
Ditto ditto ditto						6	6	1			
Public Vault, for each Coff					reeb	4	4	1	7	16	
Tuble vault, for each con						4	4				
FEES FOR INTE	TO THE TOTAL	TITI			To the same of						
				ON I	REM	OV	AT.			Ea	ch
To be paid in addit										Bo	
Charges for Catacombs	or Gr	ounds.	from	other p	laces	of I	nte	rme	nt	_	_
		01.11.1	_						3	£	8.
	Bach	Child	To Cat						-		
		10 years,		vate Va		}.				2	2
	-		Bri	ck Gra	ve .	j				16	
T G : 1	£ 8.	£ 8.	Pri	vate Gr	ave .					1	1
In Catacomb	-Herry	10.79	1000	olic Var					1 8	9	9
Private Vault .		0.70	Lui	one va	are .		•	•	•	-	-
Brick Grave } .	5 5	3 10	A CL	41 . D.			- 6	,	7 ,		,
Or in Ground for			100000000000000000000000000000000000000	the P							
Brick Grave .	00	7 0	Vau	lt, or (	irave,	the	FE	ES	ON	LY 8	re
Private Grave	2 2 3	1 8 2 2 2 16	to	be paid	l on	reo	peni	ng :	for	futu	ire
Ditto, in select places.	3 3	2 2		erments		-					
Public Vault	4 4	2 16	2	1	-						
Common Graves, with use	of Chap	pel .	each C	dult, a		8.	H	ours	of	Bur	ial,
Ditte IIII	-3	,		dult, a		8.			A.		
Ditto ditto ditto, in	select	places		hild, d				3	P.	M.	
				1							

TATEMATA A CITE A	
EXTRA CHA	THUED.

EXTRA CHARGES.	
FOR EXTRA DEPTH, AND RE-OPENING	£ s. d.
A PRIVATE GRAVE, BEYOND 7FT. Do. do. el square foot .	
1 0 2 0 10 1 4 0 0	on a Private 0 5 0
	do 0 10 6
4 0 8 6 13 1 13 6 Brick Grave, or	a compart- 1 1 0
6 · · 0 13 6 15 · · 2 3 6 Entry of Grant	0 2 6
8 0 18 6 17 2 13 6 Turfing Grave .	
9 1 1 6 18 2 18 6 7	Per Ann.
Beyond 18 feet 7s. 6d. per foot. Private Grave	
Planting with I	
Use of large Weather Screen . 0 5 0 keeping in order	er a Private 1 1 0
On all Interments before One \ 0 7 6 Grave	
O Clock P.M. or after Sunset J Reeping Monum	
On common Interments at any Graves in repai	r in per- ( agreement.
other hours than Ten and 0 7 6 petuity	
Three o'clock Extra Ground to	
Place for Monumental Tab- according to let inside the Chapel agreement. Grave. Remove replacing Monumental Tab-	ing and ( agreement

#### REGULATIONS.\*

The name of the Parish from which the body is to be removed shall be stated at the time of paying the dues. All fees and charges must be paid at the office

or at the Cemetery when the order is given.

Thirty-six hours' notice shall be given before interments. If the interment be to take place on a Monday, notice shall be given not later than on the preceding Friday. Four clear days' notice shall be given if a vault or brick grave is required. If the requisite notice be not given, an extra charge for working at night shall be paid before the ground is opened.

Parties having interments may, if they prefer it, provide the Minister, but notice

of the intention shall be given when the dues are paid.

In common graves, coffins of wood shall be used, and no monument or grave

stone will be allowed.

All monuments and gravestones shall be erected within twelve months, or the grant of the property will become void, unless license for further time be obtained from the Directors.

Vaults or brick graves shall be opened from the top, except with special agreement.

Copper cramps shall be used in the erection of tablets.

All monuments, tablets, and grave stones, and all places of burial, shall be kept in repair by the owners, unless a special agreement be made with the Directors.

Before the erection of any monument or grave stone, a drawing, with the proposed inscription, shall be submitted for approval and deposited in the office.

No Fees whatever are payable by the parties to any parish from or through which a body is brought for interment in these Cemeteries.

Monuments and gravestones erected by the Company, if required. A plan of each Cemetery is kept at the office, and may be seen without charge. The Cemeteries are open to the Public daily until sunset, but on Sundays from One o'clock only. No servant of the Company is allowed to receive any gratuity. Interments on Sundays discontinued.

Office-21, New Bridge Street, Blackfriar8. Open from 9 to 5 o'clock.

EDWARD BUXTON, SECRETARY.

<sup>\*</sup> As these Regulations embody those in use at most of the Commercial Cemeteries, a repetition in each case is deemed unnecessary.

#### LONDON NECROPOLIS COMPANY, Cemetery at Woking.

This Cemetery consists of four hundred acres of land, easy of access from the South Western Railway, and in a position singularly quiet and retired. The soil is highly suitable for burial purposes, consisting of gravel and dry sand. The land is moreover of great elevation, dryness, and natural beauty, and well adapted for the growth of appropriate vegetation. Two churches, in two different compartments of this enclosed land, have been erected, and devoted to the service of the public. One of them has been consecrated by the Bishop of Winchester, the other is reserved for the use of nonconformists. A short branch railway enables the funeral train to approach the chapels. At their respective churches, a clergyman of the Church of England and a minister of the nonconformist congregations are in attendance daily. Every morning at 11.20, a train leaves the station of the Necropolis Company, in the Westminster Road, for the conveyance of funerals and mourners to the Cemetery. The Company have also established a system of insurance, by which a funeral, varying in value from £4 to £50, may be insured by a single, yearly, or monthly premium.

Funerals for One Payment.

By selecting from the following tariff of charges, the whole expense of a funeral, in all its completeness, including undertaking charges in London, Cemetery and Railway charges, and statuary charges, may be ascertained and covered by a single payment at the Company's office, thereby avoiding the interminable items and the uncertainty which attend a funeral conducted in the ordinary manner.

The following sums show the whole expense of different classes of funerals, including every detail, with the exception of return tickets for mourners, and the

fee payable to the London Incumbent:\*

£20 4 0 17 1 0 13 18 0 10 10 0 Funerals at these prices include Undertaking Charge, Grave in perpetuity, and Head and Foot Stone.

The above charges include the performance of the funeral from the house, with the usual furniture, carriages, and attendants; but they may be considerably reduced by dispensing with the funeral cortege through the streets of London; and the Necropolis Company think it right to state, that the arrangement of meeting at the private Station in the Westminster Road has been introduced by them to release the public from unnecessary and costly display, and that it is now daily adopted, and gives complete satisfaction.

Co	onveyand	e of	M	ourners	to	and	from	the	Ceme	tery.		8.	
First Class, ea											0	6	0
Second ditto,	ditto										0	3	6
Third ditto,	ditto			1							0	2	0

TARIFF OF SEPARATE CHARGES.

The Company will also receive funerals from parties who prefer to employ their own undertaker and statuary, and for this purpose the following distinctive tariff has been prepared:—

CEMETERY CHARGES ONLY.

• Under the 29th section of the Company's Act, a fee of 6s. 2d. is payable to the Incumbent of the parish from which the body shall have been removed, upon the interment of every body within the consecrated part of the Cemetery, except the body shall be buried at the expense of any parish, in which case the fee shall be 1s.

Second Class Single Grave.	£	8.	d.
Separate Grave, including the conveyance of the body from Westminster Road Station to Woking, funeral service and interment (privilege of placing head and foot stones 10s. extra)  Children under 10 years of age		0 15	0 0
Vaults in Open Ground.			
For the Ground, 45ft. superficial, including the conveyance of the body			
from Westminster Road Station to Woking, funeral service and	7.0	7.0	0
interment	10	10	0
Brick Graves.			
For the Ground, 36ft. superficial, including conveyance of body from Westminster Road Station to Woking, funeral service and interment	7	7	0
Re-opening Graves.			
Re-opening a Grave (not in perpetuity), including conveyance of body,			
as above, funeral service and interment	1	0	0
Re-opening a Grave (in perpetuity), including conveyance of body, as above, funeral service and interment, replacing stones and turf	9	2	0
Re-opening Brick Grave, conveyance of body, as above, funeral service	-	-	U
and interment, and closing the Grave	4	4	0
service and interment	7	7	0
Additional Land.			
	0	-	0
For Single Graves, per foot	0	4	0
For Vaults, ditto	0	6	0
Extra Depth of Graves.			
From 6ft. to 10ft., per foot	0	1	6
From 10ft., 14ft., ditto		2	6
From 14ft. ,, 17ft., ditto	0	2 3 5	6
Excavating, per cubic yard, ditto	0	3	0
Brick Work.			
Constructing a Brick Grave, for one or two coffins, including flat stone .	10	0	0
Ditto ditto for six coffins, including flat stone	15	0	0
Ditta a Vanile Paulana au Long a C	20	0	0
Ditto ditto for six coffins	10 15	0	0
	20	0	0
Other works at reasonable estimated charges.			
The years extra changes which are multiplied at the transfer or		Contract of	

The usual extra charges, which are multiplied at cemeteries, will at Woking be included in the above.

Orders for funerals are received at the office of the Company, No. 2, Lancaster Place, Strand, and notice must be given before 2 o'clock P.M. of burials intended for the following day. Funerals must arrive at the London Terminus in the case of the first class 10 minutes, those of the second class 20 minutes, and those of the third class 30 minutes at least before the time of starting of the train, and the coffin will then be immediately transferred into the railway hearse carriage, and the Company will conduct the remaining portion of the funeral. Other funeral trains will be added when required by increased traffic.

#### THE CITY OF LONDON AND TOWER HAMLETS CEMETERY. South Grove, Bow Road.

This Cemetery was established by the Act of Parliament, 4th Vict., 1841. It comprises nearly thirty acres, tastefully laid out, and is situate opposite to Tredegar Square, two miles from the city, one mile from Limehouse Church, and within a short distance of the Railway Station at Bow. An eligible portion of the ground is set apart for nonconformists. The ground is drained by means of an artesian well, and it is the only Cemetery in which so novel a mode of drainage has been adopted, the soil being of gravel. There are cloisters constructed so that tablets and other memorials are protected from exposure to the weather. A clergyman of the Established Church approved by the Bishop of London, officiates in the consecrated portion of the Cemetery, and a dissenting minister in the unconsecrated portion, but parties may take their own clergyman or minister. The number of shares of the Company is 3,400.

OPEN GROUND.
Private Vault for 12 Coffins.
£ s. d.
Ground for Vault, 9ft. by 6½ft. 16 16 0
Ditto in ornamental ground . 18 18 0
Brickwork in cement, includ-
ing flat stone
Brickwork in mortar, ditto . 23 0 0
Private Brick Grave for 6 Coffins.
Ground for Brick Grave, 9ft.
by 4ft 12 12 0
by 4ft 12 12 0 Ditto in ornamental ground . 14 14 0
Brickwork in cement, includ-
ing flat stone 23 0 0
ing flat stone
Private Family Graves.
Ground for Privates Graves,
6½ft. by 2½ft., 7ft. deep, with
privilege of placing head &
foot stones, or flat stones . 3 3 0
Ditto in front ground 4 4 0
Ditto ditto 5 5 0
CATACOMBS.
Private Catacombs under the Chapels.
Catacomb to hold 1 coffin 10 10 0
2 do 20 0 0
,, 2 do 20 0 0 ,, 4 do 38 0 0 6 do 55 0 0
,, 6 do 55 0 0
,, for Child under 10 yrs. 6 6 0
The Catacombs are so formed that a
space capable of containing 20 coffins
may be enclosed as a private Mausoleum.
Public Vaults.
Charge for Public Vault, Adult 4 4 0
Ditto, Child under 10 years . 2 12 6
Interment Fees.
Child under
Adult 10 years
In Private Vault or
Brick Grave 4 4 0 2 12 6
In Private Catacomb 4 4 0 2 12 6 In Private Grave 1 11 6 1 1 0
In Private Grave . 1 11 6 1 1 0

On future Interments, after the purchase of any Vault or Grave the fees only are to be paid.

Excavating for Brick Graves or Vaults not built by the Company 3s. 3d. per cubic yard.

#### Mural Tablets.

Space for the erection of Mural Tablets, 14s. per square foot.

Common Interments.	£	8.	d.
First Class, Adult	1	10	0
Child under 10 years of age .			0
Second Class, Adult			0
Child under 10 years of age .	0	10	0
Desk Service or use of Chapel			
on common interment	0	5	0

#### Removals from other Places of Interment.

Removal to private Grave, per coffin, Adult	1	1	0
Ditto Child under 10 years .	0	15	0
Removal to a Vault or Brick			
Grave in open ground, per			1
Coffin, Adult	1	15	0
Ditto Child under 10 years .	1	5	0
Still-born Child, 3s. 6d. and	d 5	0.	

#### Extra Fees.

On all Int	erments	before Two			
o'clock,	P.M., 01	after sunset	0	5	0

	P	er An	n, In	Per	petui	ty.
Planting Flowers		58.	Od.	5	5	0
Maintaining Grave		2	6	3	3	0

Removing and re-placing Monuments, maintaining Tombs, Vaults, Head and Foot Stones or Monuments, according to size, &c.

\*\* Applications for information respecting Interments to be made at the office of the Cemetery, where certificates In Public Vault . 3 3 0 2 2 0 of burial can be obtained.

#### VICTORIA PARK CEMETERY, BETHNAL GREEN.

#### Office, -98, Bishopsgate Street.

This Cemetery which is proprietary was established in the year 1846. It consists of about 13 acres, situate at the North Eastern extremity of the parish of St. Matthew, Bethnal Green, abutting upon the Victoria Park on one side, and bounded by the Eastern Counties Railway on the other. The soil is dry and the ground well drained, and it is generally speaking well adapted for the purposes of sepulture. There is a very pretty chapel of the Elizabethian style of architecture, and a residence for the Superintendent. The roads and footpaths have been classified. The more ornamental portions of the Cemetery are set apart for brick graves and vaults. The entire cost of and laying out the Cemetery was £25,000.

The Cemetery is open for the inspection of the public from Nine o'clock in the Morning until dusk; but on Sundays, Christmas day, and Good Friday, it is closed

until after the Morning Service.

#### CHARGES AND FEES.

	AND FEED.
Private Vault or Brick Grave for	Extra Depth, and Re-opening
12 Coffins.	Private Grave, if beyond 7ft.
C	8 feet £0 2 0
Ground for Vault, 9ft. by 61ft. £15 15 0	
Ditto in front ornamental	
ground 17 17 0	10 0 7 0
Brick-work in cement, includ-	11 0 9 0
ing flat stone 28 0 0	12 0 12 6
ing flat stone 28 0 0 Ditto in mortar, including flat	After the exclusive right of Interment
stone 21 0 0	in any Vault or Grave has been pur-
The state of the s	chased, the Fees only are to be paid on
Private Brick Grave for 6 Coffins.	future Interments.
Ground for Brick Grave, 9ft.	
by 4ft 10 10 0	The charge for excavating for Brick
Ditto in apparental ground 19 19 0	Graves or Vaults not built by the Com-
Ditto in ornamental ground . 12 12 0	pany, is 3s. per cubic yard.
Brick-work in cement, includ-	Common Interments.
flat stone	73' 1 (0) 1 3 11 7 0 0
Ditto in mortar, including flat	
stone 17 10 0	Child under 10 years 0 15 6
	Second Class, Adult 0 17 6
Private Family Grave.	Child under 10 years 0 10 0
Ground for Private Grave,	Removal from other Places of
$6\frac{1}{2}$ ft. by $2\frac{1}{2}$ ft., 7ft. deep,	Interment.
with privilege of placing	Removal to Private Grave, per
head and foot stone or flat	Coffin, Adult 0 17 6
stones 2 12 6	Ditto, Child under 10 years . 0 12 6
Ditto, in second class ground 3 3 0	Removal to a Vault or Brick
Ditto, in reserved ground 4 4 0	Grave in open ground, per
Public Vault.	Coffin, Adult 1 2 6
Charge for Interment in Public	Ditto, Child under 10 years . 0 17 6
Vault—Adult 3 13 6	Still-born, 2s. 6d.
	Extra Fees.
Ditto, Child under 10 years . 2 12 6	
Interment Fees.	Opening and re-closing Vault 1 1 0
Child under	Ditto Brick Grave 0 15 0
T- Direct Walt 10 years	Removing & replacing flatstone 0 4 0
In Private Vault or	Ditto head and foot stones . 0 4 0
Brick Grave 3 13 6 2 2 0	For extra space beyond the size
In Private Grave . 1 8 6 1 1 0	of a Vault or Grave, per ft. sq. 0 8 0
In Public Vault 2 15 0 2 0 0	Desk Service 0 3 0
	2000 001100 0 3 0

All orders must be given and the dues paid at the Cemetery, before the ground can be opened or vault built; and it will be a convenience if the party giving the orders be prepared with full particulars of name, age, and address of the deceased.

Applications for further information respecting interments to be made to the

Superintendent, at the Cemetery, between the hours of 10 and 5.

## THE SOUTH METROPOLITAN CEMETERY, NORWOOD.

#### TABLE OF FEES.

Catacombs. £ s. d.	Rubbing Ledger, £1 5s. £ s. d.
Family Catacombs to hold 10	Brick Grave, 12 do.
coffins for Adults, fitted up	ditto 23 0 0 30 0 0
with iron gates and locks,	Rubbing Ledger, £1 10s.
with iron bearers 80 0 0	No brickwork to be faced with com-
Ditto, with stone shelves 90 0 0	position and all shows ground to be
	position, and all above ground to be pointed with cement.
Coffins Vaults in if required	
Iron or Stone additional	The Company undertakes to erect
Catacomb to hold 1.14 0 0 4 4 0	monuments, and maintain them in per-
,, ,, 2.27 0 0 6 6 0	petuity by special agreement.
,, ,, 4.52 0 0 10 10 0	Graves in Open Ground.
Catacombs or Vaults of larger dimensions if	Single Interment, Adult 1 10 0
required.	Child under 10 years 1 2 0
Control of the contro	Desk Service or use of Chapel 0 5 0
Interment fee, Adult 5 5 0	PRIVATE GRAVES.
Child under 10 years 3 10 0	
On all Interments before Three	With privilege of placing flat or head and foot stones, inclosure or monument,
P.M. or after sunset 0 7 6	and planting.
Entry of Deed of Gran 0 2 6	
Public Vault, Adult 4 4 0	Private Grave, 6ft. 6in. by 2ft.
Ditto, Interment fee 3 3 0	6in., 7ft. deep 3 3 0
Ditto, Child under 10 years . 2 12 6	Fee on Interment, Adult 2 2 0 Child under 10 years 1 8 0
Ditto, Interment fee 2 2 0	
Brick Graves and Vaults.	Private Grave in border or area
	6ft. 6in. by 2ft. 6in., 7ft. deep 5 5 0
Ground for 6 coffins, 9ft. by 4ft. 15 15 0	Ditto, 9ft. by 2ft. 6in., or 8ft.
,, 12 9ft. by 6ft. 6in. 21 0 0	by 3ft., 7ft. deep 7 17 6
Extra ground beyond the above	Double Private Grave in area,
dimensions, per square foot 0 8 0	6ft. 6in. by 5ft 10 10 0
Interment fee, Adult 5 5 0	Ditto, 9ft. by 5ft 15 15 0
Child under 10 years 3 10 0	Fee on Interment, Adult 3 3 0
Use of Weather Screen 0 10 0	Child under 10 years 2 2 0
Opening & reclosing ) To be done	No coffin permitted within 4ft. of the
Vault 2 2 0 by the	surface.
Ditto Brick Grave . 1 1 0) Company.	Extra Fees.
Iron Bearers for Vaults for 6	On all Interments before Three
coffins, each 0 3 6	o'clock P.M., or after sunset 0 7 6
Ditto for 12 ditto, each 0 7 6	Extra ground beyond the size
Excavating, &c., 3s. 3d. per cubic yard.	of the Grave, per square ft. 0 8 0
An extra charge beyond 10ft, according	Maintaining Graves with flowers
to the depth of the grave.	in perpetuity 7 7 0
Entry of Deed of Grant 0 2 6	Removing & replacing To be done
Brickwork.	head & foot stones 0 3 0 by the
	Removing flat stone 0 5 0) Company.
All under-ground Brickwork to be done by the Company, in Mortar. In Cement.	Removals from other Places of
	Interment to
Vault for 6 coffins 12 0 0 18 10 0	Private Grave in open ground,
12 ,, 15 0 0 25 0 0	per coffin 1 11 6
Brick Grave, 6 do.	Catacombs or Brick Graves,
including flatstone 18 0 0 21 10 0	per coffin , 2 2 0

All orders must be given, and the dues paid at the office, No. 70, King William Street, London Bridge, before the Ground can be opened or the Vault built.

No charge of any kind made except stated in the Table of Fees.

#### THE WEST OF LONDON AND WESTMINSTER CEMETERY,

Earl's Court, Old Brompton, with entrance from the Fulham Road.

Office,-12, HAYMARKET.

#### TABLE OF CHARGES AND FEES.

IN OPEN GROUND	(EX	CEP	T S	EL	EO	т	SI	TU	A	ric	)N	5.)	1		er		en	t	
o di a	Deep	Long	Wide	G	Ground.			including			Building with cement, not including flat stone.						Child under Ten years.		
Private Grave Brick Grave for 6 coffins Ditto 12 ditto	feet. 7 10 10	feet. 6½ 9	feet. $2\frac{1}{2}$ 4 $6\frac{1}{2}$	£ 3 12 20	3	0	£ 12 16	s. 0 0	0	£ 16 20		0	2	s. 2 4	0	1	s. 10 3	0	
The select situations and the prices of ground there may be known on application at the office.  Interment in Public Vault.																			
Adult, £4 4s.; Child, £2 12s. 6d						• • • •		2	2	0	1	10	0						
0 01 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	No. of Cof- fins.		t and th- est.	Ch	Vave loir, Bell ower	&	Circle.												
For the Deposit of Ditto ditto Ditto ditto Ditto ditto Infants under 10 years of age, each	2 4	16 30 44	8 0 0 0 0 0	10 20 40 56	8. 10 0 0 0	0	£ 12 24 46 66 8		d. 0 0 0 0 0	1			4	4	0	3	3	0	
N.B.—The Catacombs are so formed, that a space capable of containing from six to twenty coffins may be enclosed as a Private Mausoleum.							le e												
Interment in Common Gr	ave,	from	One	to	Fou	ro	clo	ck.					1	16	0	1	6	0	

The Cemetery is open to the public, from Seven o'clock in the Forenoon until Sunset, on every Day except Sundays, Christmas Day, Good Friday, and Ascension Day; on which Days it is open from half-past One o'clock in the Afternoon until Sunset.

On Sundays, Christmas Day, Good Friday, and Ascension Day, no interments take place in the Cemetery.

JOHN HENRY RUDDICK, MANAGER.

Lend of the Court of the state Asserted Languages of the Control of Lawrence Land 

