

ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XXXV.

An Act to amend an Act passed 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*, so far as relates to the City of *London* and the Liberties thereof.

[10th *August* 1857.]

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 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

15 & 16 Vict. c. 85.

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 impracticable 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 Thirty-seventh 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 effected 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:

The Fees in Schedule to be the Fees payable to Incumbents.

I. The Fees enumerated in the Schedule to this Act shall be the Fees which the Incumbents of the Parishes within the City of *London* and the Liberties thereof shall be entitled to receive upon all Interments in the consecrated 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.

Approval of a Majority of Vestries in

II. When and as often as the Consent or Approval of the Vestries of the several Parishes within the Limits of the City of *London* and the Liberties thereof is by the said recited Act required for the Pur-

pose

pose of enabling the Commissioners of Sewers of 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 Purposes 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 Provisions of the Act of the Twenty-second Year of *Charles* Second, Chapter Eleven, 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.

the City of London to be sufficient.

III. The Provisions in the said recited Act contained 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 Thirty-second, Thirty-third, Thirty-fifth, Thirty-sixth, Thirty-seventh, and Fiftieth Sections of the said Act, shall not apply to Parishes situated within the City of *London* or the Liberties thereof.

Certain Sections in recited Act repealed as to the City of London.

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 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.

Commissioners, acting as Burial Board, with the Approval of the major Part of the Vestries, to settle Fees payable to Churchwardens, &c.

V. All Fees payable under the Provisions of this Act to Incumbents of Parishes within the City of *London* and the Liberties thereof shall be paid by the Commissioners of Sewers of the City of *London*, by Quarterly Payments in each Year, to such Person or Persons as shall by such Incumbents, or the major Part of them, be appointed from Time

Fees to be paid by the Commissioners.

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.

Commissioners to settle Fees for Burial of Persons not residing in London.

VI. It shall be lawful for the said Commissioners, subject and without Prejudice to the Fees payable to Incumbents under the Provisions of this Act, and subject to the Approval required by the Seventh Section of the Act of Eighteenth and Nineteenth *Victoria*, Chapter One hundred and twenty-eight, to settle a Scale of Fees for the Burial in the Cemetery at *Little Ilford* 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.

Chaplains of Cemetery to conform to Regulations of Commissioners.

VII. The Chaplain or Chaplains who for the Time being shall have been or shall hereafter be appointed under the Thirty-ninth Section of the said recited Act, by the Incumbents of the Parishes within the City of *London* and the Liberties thereof, for the Performance of Burials in the consecrated Part of the said Cemetery, shall conform to all such Regulations 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*.

Interpretation of Terms.

VIII. In this Act and in the said recited Act, so far as the same applies to the City of *London* and the Liberties thereof, the Words "Parishioner" or "Inhabitant" shall 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.

Expenses of Act.

IX. All the Costs, Charges, and Expenses of obtaining and passing this Act shall be defrayed out of the Consolidated Rate authorized to be made by the "City of *London* Sewers Act, 1848."

The SCHEDULE.

	£	*s.*	*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
For each Burial in a Private Grave in ditto - - -	0	5	0
For each Burial in a Common Grave in ditto- - -	0	2	6
For each Burial of a Pauper in ditto - - -	0	1	0

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