

Cemeteries Clauses Act 1847

1847 CHAPTER 65 10 and 11 Vict

Payments to incumbents of parishes

And with respect to payments to incumbents of parishes or ecclesiastical districts, and to parish clerks, be it enacted as follows:

Payments to incumbents of parishes from which bodies are brought. U.K.

The company shall, on the burial of every body within the consecrated part of the cemetery, pay to the incumbent for the time being of the parish or ecclesiastical district from which such body shall have been removed for burial, such sums, if any, as shall be prescribed for that purpose in the special Act.

Modifications etc. (not altering text)

C1 S. 52 extended by Cremation Act 1902 (c. 8), **s. 13**

Company shall keep account of interments. U.K.

For ascertaining the amount of the payments, if any, to be made to the incumbents of the several parishes or districts aforesaid, the company shall cause books to be kept, and entries to be made therein of the names of all persons whose bodies are buried within the consecrated part of the cemetery, and the names of the parishes or districts from which such bodies respectively have been removed, and the manner of their burial within the cemetery, (distinguishing whether in a place of exclusive burial or otherwise,) with the date of such burial; and such books shall be at all reasonable times open to the inspection of the incumbents for the time being of the said several parishes or districts, or any person employed by them, without fee or reward.

Account of payments due to incumbents of parishes to be rendered halfyearly. U.K.

The company shall on the twenty-fifth day of March and twenty-ninth day of September in each year, or within one month after each of the said days, deliver to the

Changes to legislation: There are currently no known outstanding effects for the Cemeteries Clauses Act 1847, Cross Heading: Payments to incumbents of parishes. (See end of Document for details)

person who is the incumbent of any parish or ecclesiastical district on that day, or to his executors or administrators, on demand made within the said month, an account of the sums, if any, payable in respect of bodies removed for burial within the consecrated part of the cemetery as aforesaid from such parish or ecclesiastical district during the half year next preceding the said twenty-fifth day of March or twenty-ninth day of September, as the case may be.

Fees to be paid to incumbents of parishes half-yearly. U.K.

The sums payable by virtue of the special Act shall be paid half-yearly on the twenty-fifth day of March and the twenty-ninth day of September, or within one month afterwards, to the persons who are the incumbents of the parishes or ecclesiastical districts in respect of which the same are payable on such twenty-fifth day of March and twenty-ninth day of September respectively, or the executors or administrators of such incumbents; (that is to say,) such sums as accrue between the twenty-ninth day of September and the twenty-fifth day of March following shall be paid to the person who is the incumbent on the twenty-ninth day of September following shall be paid to the person who is the incumbent on the twenty-ninth day of September; FI...

Textual Amendments

F1 Words in s. 55 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1, PartVI.

Payment to be made to the incumbent for the time being, who is to account with his predecessor. U.K.

If any incumbent of any parish or district in respect of which sums are payable by the company by virtue of the special Act ceases to be incumbent, by cession, death, or otherwise, between the said two half-yearly days of payment, such incumbent shall be entitled to receive so much of the sum payable at the half-yearly day which happens next after he ceases to be incumbent as has accrued from the last preceding half-yearly day, or from the time when such incumbent became first entitled to receive the fruits of his living, as the case may require, up to the day at which he ceased to be incumbent, and the incumbent of any parish or district who receives from the company any sum to a part of which any preceding incumbent is entitled under the provisions herein contained shall pay such part to him, his executors or administrators, accordingly; and the company shall not be answerable to any person, other than the actual incumbent for the time being, for the payment of any sums by virtue of this or the special Act.

57 Company to pay parish clerks the compensation mentioned. U.K.

The company shall, on the burial of every body within the consecrated part of the cemetery, except where the body is buried at the expence of any parish or ecclesiastical district, or union of parishes for the relief of the poor, pay to the parish clerk of the parish or ecclesiastical district from which such body has been removed for burial, if he held the office of parish clerk of such parish or ecclesiastical district at the time of the passing of the special Act, but not otherwise, such sum, if any, as shall be prescribed for that purpose in the special Act.

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Modifications etc. (not altering text)

C2 S. 57 extended by Cremation Act 1902 (c. 8), s. 13

Changes to legislation:

There are currently no known outstanding effects for the Cemeteries Clauses Act 1847, Cross Heading: Payments to incumbents of parishes.