



# Cemeteries Clauses Act 1847

## 1847 CHAPTER 65

### *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:

**LII Payments to Incumbents of Parishes from which Bodies are brought.**

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,

**LIII Company shall keep Account of Interments.**

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 Pee or Reward.

**LIV Account of Payments due to Incumbents of Parishes to be rendered half-yearly.**

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 Person who is the Incumbent of any Parish or Ecclesiastical District on that Day, or to his Executors or Administrates, 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.

**LV Fees to be paid to Incumbents of Parishes half-yearly.**

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-fifth Day of *March*, -and such Sums as accrue between the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* following shall be paid to the Person who is the Incumbent on the Twenty-ninth Day of *September* ; and if any such Sums be not paid to the Party entitled to receive the same within the Period herein-before limited for the Payment thereof, such Party may recover the same, with full Costs, by Action of Debt or on the Case, in any Court having competent Jurisdiction.

**LVI Payment to be made to the Incumbent for the Time being, who is to account with his Predecessor.**

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.

**LVII Company to pay Parish Clerks the Compensation mentioned.**

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.