



# Burial Act 1852

## CHAPTER 85

### BURIAL ACT 1852

- I 13 & 14 Vict. c.52 repealed, and Her Majesty may continue additional Member of Board therein authorized.
- II On Representation of Secretary of State, Her Majesty in Council may order Discontinuance of Burials in any Part of the Metropolis.
- III Order not to extend to Burial Grounds of Quakers or Jews, unless expressly included.
- IV Burial not to take place after Order in Council for Discontinuance.
- V Restriction as to Place of Burial of Inhabitants of Parishes the Burial Grounds whereof are closed.
- VI Saving of certain Rights to bury in Vaults, &c.
- VII Saving as to Cemeteries in Schedule(B.) and new Burial Grounds hereafter approved of by Secretary of State.
- VIII Saving as to St. Paul's Cathedral and Westminster Abbey.
- IX New Burial Grounds in the Metropolis to be approved by Secretary of State.
  - X 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.
- XI In case Vestry agree to provide a Burial Ground, Board to be appointed. Resignation of Members.
- XII Vacancies to be filled up by Vestry.
- XIII Meetings of the Board.
- XIV Quorum of Meetings of the Board.
- XV Board may appoint and remove Officers, &c.
- XVI Minutes of Proceedings of Board to be entered in a Book. Board to keep Accounts, which shall be open to Inspection.
- XVII Penalty for refusing to allow Inspection.

*Status: This is the original version (as it was originally enacted).*

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- XVIII Auditors to be appointed yearly, who shall examine the Accounts, and report to Vestries.
- XIX Expenses to be paid out of the Poor's Rate.
- XX Power to borrow Money, with Sanction of Vestry, and Approval of the Treasury.
- XXI The Public Works Loan Commissioners may advance Money for the Purposes of this Act.
- XXII Monies raised, and the Income arising from Burial Ground, to be applied towards defraying Expenses.
- XXIII Vestries of Parishes may concur in providing a Burial Ground for the common Use of such Parishes.
- XXIV Incorporation of Burial Boards.
- XXV Board to provide a Burial Ground, which may be within or without the Parish.
- XXVI Board may, with Approval of Vestry, purchase Land of Cemeteries.
- XXVII Certain Provisions of 8 & 9 Vict. c.18 incorporated with this Act.
- XXVIII Power to sell Lands not wanted.
- XXIX Burial Board may, with Approval of Vestry, &c., appropriate Land belonging to Parish.
- XXX Board may lay out Burial Ground, and build a Chapel, for Performance of Burials according to Rites of Established Church. Ground may be set apart for building a Chapel, &c.
- XXXI Burial Board may contract for Works to be done. No Contract above 100l to be created into without Notice.
- XXXII Burial Ground to be the Burial Ground of the Parish or Parishes for which it is provided.
- XXXIII Board may sell exclusive Eights of Burial Vaults, and Right to erect Monuments.
- XXXIV Board to fix Payments for Interments in Burial Ground and for exclusive Right of Burial Vaults and Right to erect Monuments.
- XXXV Division of Fees between Incumbents of Parishes and Ecclesiastical Districts.
- XXXVI Fees payable to Churchwardens and others for Parochial Purposes.
- XXXVII Power to Vestry, with Consent of Bishop, to revise the Fees to Incumbent, &c., or to substitute a fixed Payment.
- XXXVIII Management to be vested in Burial Boards.
- XXXIX Arrangements between the Incumbents of Parishes.
  - XL Certain Provisions of 10 & 11 Vict. c.65 incorporated with this Act.
  - XLI Boards may make Arrangements for facilitating the Conveyance of Bodies to Burial Grounds.
    - XLII Places maybe provided for Reception of Bodies until Interment.
    - XLIII The Commissioners of Sewers of the City of London to be a Burial Board for the Parishes in the City and its Liberties.
    - XLIV Secretary of State may make Regulations as to Burial Grounds, &c.
    - XLV Brompton Cemetery vested in Commissioners of Works.
    - XLVI Money authorized to be advanced under 14 & 15 Vict. c.89 may be applied in completing the Purchase of the Brompton Cemetery.
  - XLVII Provision for winding up the West of London and Westminster Cemetery Company.
  - XLVIII Brompton Cemetery may be sold by Direction of the Treasury, and in the meantime used for Interments.
  - XLIX Limiting the Compensation Fee to be payable on Pauper Burials in Cemeteries.

- L Incumbents Compensations to be payable to the Churchwardens where the Fees on Burials are now paid to them, and the Incumbents are not entitled.
- LI Power for Incumbents or Churchwardens to convey Chapel.
- LII Interpretation of Terms.
- LIII Definition of "the Metropolis."
- LIV Saving Rights of Cemetery Companies.

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SCHEDULE (A.) —

*IN MIDDLESEX. The City and Liberties of Westminster.*

*IN KENT.*

*IN SURREY. The Borough of Southwark.*

SCHEDULE (B.) —