



# Cemeteries Clauses Act 1847

## CHAPTER 65

### CEMETERIES CLAUSES ACT 1847

Extent of Act.

Interpretations in this Act.

- II Interpretations in this Act.
- III Interpretations in this and the special Act.

#### *Citing the Act*

- IV Short Title of this Act.
- V Form in which Portions of this Act may be incorporated in other Acts.

#### *Making of Cemetery*

- VI Construction of Cemetery to be subject to the Provisions of this and the Lands Clauses Consolidation Act, 1845.
- VII Errors and Omissions in Act or Schedule to be corrected by Justices, who shall certify the same. Certificate to be deposited.
- VIII Copies of Plans, &c. to be Evidence.
- IX Company not to dispose of any Land consecrated or used for Burials.
- X Cemetery not to be within a certain Distance of Houses.
- XI Company may build Chapels, &c.
- XII Company may make or widen Roads to Cemetery.
- XIII No Road to be widened without Consent.
- XIV Owners, &c. may enter into Agreements for improving , Roads for that Purpose.
- XV Cemetery to be inclosed and Fenced.
- XVI Cemetery, &c. to be kept in repair.
- XVII Company to make Compensation for Damages done.

*Status: This is the original version (as it was originally enacted).*

---

### *Prevention of Nuisances*

- XVIII Power to make Sewers, Drains, &c. in and about the Cemetery.
- XIX Certain Provisions of Waterworks Clauses Act 1847, incorporated with this Act.
- XX Penalty for allowing Water to be fouled.
- XXI Penalty to be sued for within Six Months.
- XXII In addition to Penalty of 50l., a daily Penalty during the Continuance of the Offence.

### *Burials*

- XXIII A Part of Cemetery to be set apart and consecrated for Burial of Members of Established Church.
- XXIV Consecrated Ground to be defined.
- XXV A Chapel in connexion with the Established Church to be constructed.
- XXVI Bodies when interred not to be removed without lawful Authority.
- XXVII Chaplain to be appointed with Consent of the Bishop.
- XXVIII Chaplain to perform Burial Service when required.
- XXIX Other Clergymen of the Established Church may be allowed to officiate.
- XXX Company to pay the Chaplain a Stipend approved by the Bishop.
- XXXI Stipend to be recovered by Action at Law.
- XXXII Burials in the consecrated Portion to be registered by the Chaplain.
- XXXIII Registers to be subject to the Regulations of 6 & 7 W.4 c.86 as to Searches, &c.
- XXXIV Clerk appointed for the consecrated Part of the Cemetery.
- XXXV As to Burial of Persons not Members of the Church of England.
- XXXVI Company may allow any Burial Service to be performed in Dissenting Chapels.
- XXXVII Power to appoint Graven diggers, &c.
- XXXVIII Regulations for ensuring Decency and Solemnity.
- XXXIX No Burials under or close to Chapels.

### *Exclusive Rights of Burial*

- XL Parts of the Cemetery may be set apart for exclusive Burial. Monumental Inscriptions.
- XLI Plan and Book of Reference to be kept, and be open to Inspection.
- XLII Form of Grant of Burial in Vault, &c. to be according to Schedule.
- XLIII Register of Grants to be kept.
- XLIV Rights of Burial, &c. to be assign able, or may be bequeathed by Will.
- XLV Form of Assignment.
- XLVI Assignments to be registered.
- XLVII Probates of Wills to be registered.
- XLVIII Vaults to be kept exclusively for Purchasers of exclusive Right.
- XLIX No such Grant to give the Right of Burial in consecrated Ground to certain Persons.
- L Power to remove Monuments improperly erected.
- LI Bishop to have Power to object to monumental Inscriptions in consecrated Part of Cemetery.

### *Payments to Incumbents of Parishes*

- LII Payments to Incumbents of Parishes from which Bodies are brought.
- LIII Company shall keep Account of Interments.

- LIV Account of Payments due to Incumbents of Parishes to be rendered half-yearly.
- LV Fees to be paid to Incumbents of Parishes half-yearly.
- LVI Payment to be made to the Incumbent for the Time being, who is to account with his Predecessor.
- LVII Company to pay Parish Clerks the Compensation mentioned.

*Protection of Cemetery*

- LVIII Penalty for damaging the Cemetery.
- LIX Penalty on Persons committing Nuisances in the Cemetery.
- LX Annual Account to be made up, and a Copy transmitted to the Clerk of the Peace, &c, and be open to Inspection.
- LXI Tender of Amends.

*Recovery of Damages and Penalties*

- LXII 8 & 9 Vict. c.20 incorporated as to Damages, &c.
- LXIII In Ireland, Part of Penalty to be paid to Guardians of Unions.
- LXIV All Things required to-be done by Two Justices may, in certain Cases, be done by One.
- LXV Persons giving false Evidence liable to Penalties of Perjury.

*Access to special Act*

- LXVI Copies of special Act to be kept by Company at their Office, and deposited with the Clerk of the Peace, and be open to Inspection.
- LXVII Penalty on Company failing to keep or deposit such Copies.
- LXVIII Company not exempt from Provisions of any future general Act.
- LXIX Act may be amended, &c.

---

SCHEDULES to —  
which the foregoing  
Act refers