

ANNO VICESIMO SECUNDO

VICTORIÆ REGINÆ.

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CAP. I.

An Act more effectually to prevent Danger to the Public Health from Places of Burial.

[25th *March* 1859.]

WHEREAS by Section Twenty-three of an Act passed in the Session holden in the Twentieth and Twenty-first Years of Her Majesty, Chapter Eighty-one, "to amend the Burial Acts," it was enacted that it should be lawful for Her Majesty, upon the Representation of One of Her Majesty's Principal Secretaries of State, by and with the Advice of Her Privy Council, from Time to Time to order such Acts to be done by or under the Directions of the Churchwardens or such other Persons as might have the Care of any Vaults or Places of Burial, for preventing them from becoming or continuing dangerous or injurious to the Public Health; and such Churchwardens or other Persons should do or cause to be done all Acts ordered as aforesaid, and the Expenses incurred in and about the doing thereof should be paid out of the Poor Rates of the Parish: And whereas it is expedient to amend the said Enactment as herein-after mentioned: 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: 20 & 21 Vict. c. 81.

I. Where

Burial Places.

Where Persons having the Care of a Place of Burial neglect to comply with Order in Council, the Churchwardens may act in their stead.

I. Where it appears to One of Her Majesty's Principal Secretaries of State, on the Representation of any Person authorized by him to inspect any Vaults or Place of Burial in relation to which an Order in Council has been or shall have been issued under the said recited Enactment, that any Acts which by such Order in Council are ordered to be done by or under the Direction of Persons other than Churchwardens having the Care of such Vaults or Place of Burial are not done or performed within a reasonable Time, and according to the Intent of such Order in Council, it shall be lawful for such Secretary of State, by Writing under his Hand, to authorize and direct the Churchwardens of the Parish in which such Vaults or Place of Burial may be situate forthwith to do or complete the Acts in such Order in Council mentioned, or such of them as remain undone, and such Order of the Secretary of State shall be obeyed by such Churchwardens, and they and all Persons acting under their Direction shall have the same Power of entering and doing all such Acts upon the Premises to which the Order in Council relates as if the said Acts had by the Order in Council been directed to be done by such Churchwardens, and such Vaults or Place of Burial had been under their Care; and any Person who shall obstruct such Churchwardens or any others acting under their Direction in relation to the Premises, or remove or interfere with the Works done by such Churchwardens, shall be guilty of a Misdemeanor.

This and recited Act to be as One.

II. This Act shall be read together with the said Act of the Twentieth and Twenty-first Years of Her Majesty and the Burial Acts therein mentioned as One Act.

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