



ANNO DECIMO SEPTIMO & DECIMO OCTAVO

# VICTORIÆ REGINÆ.

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## Cap. cliv.

An Act to enable the granting Building Leases of Parts of the *Camden Town Cemetery*, belonging to the Parish of *Saint Martin in the Fields*, not heretofore used for the Purpose of Interment; and for other Purposes. [10th July 1854.]

**W**HEREAS by an Act of Parliament made and passed in the Forty-fourth Year of the Reign of King *George the Third*, intituled *An Act for providing an additional Burial Ground, and erecting a Chapel thereon, for the Parish of Saint Martin in the Fields in the County of Middlesex, and also a House for the Residence of a Clergyman to officiate in burying the Dead*, after reciting that the Burial Grounds in the said Parish of *Saint Martin* were not sufficiently large for the Interment of the Parishioners, and it was therefore necessary that an additional Burial Ground should be provided in some Parish near or adjoining thereto, there not being any Place within the said Parish that could be properly appropriated for that Purpose, and that the Vicar and Churchwardens of the said Parish had agreed with the Right Honourable *John Jeffreys Earl Camden*, and the Reverend *Anthony Hamilton*, Doctor in Divinity and Prebendary of the Prebend called *Cantlowes*, otherwise *Cantlers*, otherwise *Kentish Town*, in the Cathedral Church of *Saint Paul in London*,

44 Geo. 3.  
c. lxxxv.

[Local.]

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for

*The Camden Town Cemetery Act, 1854.*

for the Purchase of a Piece of Ground situate in the Parish of *Saint Pancras* in the said County of *Middlesex*, to be appropriated for a Burial Ground, and for erecting a Chapel thereon, and a House for the Residence of a Clergyman to officiate in burying the Dead, and which said Piece of Ground was Part of the Estate whereto the said *Anthony Hamilton* was entitled in right of his said Prebend, and whereto the said *John Jeffreys Earl Camden* was beneficially entitled under a Lease for Three Lives, granted by the said *Anthony Hamilton* as such Prebendary as aforesaid, it was enacted, that the said Piece or Parcel of Ground agreed to be purchased as aforesaid, containing by Admeasurement Four Acres, situate in the Parish of *Saint Pancras*, and which was then already marked or staked out, and was Part of Two Fields called *Upper Meadow* and *Upper Brook Meadow*, and contained in Length on the North-west Side thereof Four hundred and seventy-nine Feet or thereabouts, and on the South-east Side thereof Four hundred and sixty-one Feet or thereabouts, and in Breadth on the South-west Side thereof Three hundred and seventy-seven Feet or thereabouts, and on the North-east Side thereof Three hundred and sixty-three Feet or thereabouts, and abutted towards the South-west on a then new intended Street called *Bayham Street*, and towards the South-east on a then new intended Street called *Pratt Street*, and towards the North-east on a then new intended Street called *Camden Street*, and towards the North-west on the said Fields called *Upper Meadow* and *Upper Brook Meadow*, and which said Piece of Ground was Parcel of the Estate whereto the said *Anthony Hamilton* as such Prebendary, and the said *John Jeffreys Earl Camden*, under such Lease were respectively entitled as aforesaid, should from and after the passing of the now reciting Act be vested in the Vicar and Churchwardens of the said Parish of *Saint Martin in the Fields* and their Successors for ever for the Purposes therein mentioned; and that the said Vicar and Churchwardens of the said Parish should be and they were thereby constituted a Body Corporate for the Purpose of holding the said Piece of Ground in perpetual Succession; and that the Vicar, Churchwardens, and Overseers of the Poor, and Vestrymen of the said Parish of *Saint Martin in the Fields* for the Time being should be and they were thereby appointed Trustees for the several Purposes of the said Act, and that all Acts and Proceedings of the Majority of any Five or more of the said Trustees assembled at any of their Meetings should be as valid as if all the Trustees had been present and had concurred therein; and that the said Trustees should cause the Ground so agreed to be purchased as aforesaid, or such Part thereof as they should judge necessary, to be inclosed and fenced in with a good and substantial Brick Wall or other Fence, not less than Eight Feet high above the Surface, and should cause to be done all other things necessary and proper for making such Ground fit and convenient for the Burial of the Dead; and should cause to be erected thereon a Chapel for the

Performance

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*The Camden Town Cemetery Act, 1854.*

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Performance of the Funeral Service, with Vaults under the same for the Burial of the Dead, and also a House and other Buildings and Conveniences for the Residence of a Clergyman, Clerk, and Sexton, to be appointed as therein-after mentioned, to officiate in burying the Dead, in such Manner and Form as they should think proper; and that the said Trustees should and were thereby required at all Times to keep the said Chapel, Buildings, and Vaults so to be erected in good and proper Repair and Condition; and that the said Ground, or a sufficient Part thereof, when inclosed, should be consecrated for a Burial Ground according to the Usage of the Church of *England*, and should for ever thereafter be used as and for an additional Burial Ground for the said Parish of *Saint Martin in the Fields*; and that when the said Chapel should be finished and completed it should be consecrated as aforesaid, and should be used for the Purpose only of performing Funeral Service; and that the Vicar of the said Parish Church of *Saint Martin in the Fields* for the Time being, with the Consent and Approbation of the other Trustees, or any Five or more of them, should nominate and appoint the Clergyman, Clerk, and Sexton, and other Persons, to officiate and be employed in the said Chapel and Burial Ground, who should occupy the said Buildings so to be erected as aforesaid, and should have and receive for their respective Salaries or Compensation such Sum or Sums of Money as the said Trustees should think fit and appoint; provided always, that it should be lawful for the said Trustees, or any Five or more of them (the Vicar being present), for Neglect of Duty, or any other just or reasonable Cause, to remove and displace any such Clergyman, with the Approbation of the Ordinary of the Diocese for the Time being, and also the Clerk or Sexton or other Person or Persons who should have been nominated and appointed by virtue of the said Act, from his Office or Place, and that upon the Removal of any such Clergyman, Clerk, Sexton, or other Person or Persons as aforesaid, some other Person or Persons should from Time to Time be appointed, in the Manner therein-before directed, in his or their Stead; and further, that the said Piece of Ground so to be vested in the said Vicar and Churchwardens and their Successors, together with all such Buildings to be erected thereon or any Part thereof as aforesaid, should from and after the passing of the said Act be for ever deemed and taken to be within and Part of the said Parish of *Saint Martin in the Fields*, and should from thenceforth for ever be freed, exempted, and discharged of and from the Payment of all and all manner of Parliamentary and Parochial Taxes, Rates, and Assessments to any other Parish or Place whatsoever, and also of and from the Payment of all Tithes and other Dues and Duties whatsoever to the Rector or Vicar of any such Parish or Place other than and except as therein-after mentioned, any Law, Custom, or Usage to the contrary thereof notwithstanding; provided always, that in case any Houses

or

*The Camden Town Cemetery Act, 1854.*

or other Buildings (other than and except as aforesaid) should at any Time thereafter be erected upon any Part of the said Ground which should be granted or let to any Person or Persons in consideration of any Rent, or of any Premium, Fine, or Income whatever, to be paid by such Person or Persons for the Use and Occupation thereof, all such Houses or Buildings, with the Appurtenances, for which any such Rent, Premium, Fine, or Income should be paid, should be deemed and taken to be within the said Parish of *Saint Pancras*, and be and continue subject and liable to the Payment of all such Parliamentary and Parochial Taxes, Rates, and Assessments, for the Benefit of the Parish of *Saint Pancras*, as any other Houses or Buildings in the same Parish should be and continue subject and liable to ; and further, in order to make Compensation to the said *John Jeffreys Earl Camden*, and the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Piece of Ground in case the said Act had not been made, and to the Appropriator and Vicar, and also to the Parishioners of the said Parish of *Saint Pancras*, for any Loss they might respectively sustain on account of the said Piece of Ground being vested in the said Vicar and Churchwardens for the Purposes of the said Act, and being exempted from the Payment of Taxes, Tithes, and other Payments as aforesaid, it was enacted, that the senior Churchwarden of the said Parish of *Saint Martin in the Fields* for the Time being should and he was thereby required to pay or cause to be paid to the said *John Jeffreys Earl Camden* and the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Piece of Ground in case the said Act had not been made, for his and their own Use, the clear Rentcharge or annual Sum of One hundred Pounds, and should also pay or cause to be paid to the Appropriator for the Time being of the Great Tithes of the said Piece of Ground the clear Rentcharge or annual Sum of One Shilling and Fourpence, and should also pay or cause to be paid to the Vicar of the said Parish of *Saint Pancras* for the Time being, for his own Use, a clear Rentcharge or annual Sum equal in Amount as near as could be ascertained to the aggregate Amount of all Tithes, Offerings, Oblations, Obventions, Dues, and Duties which the said Vicar received or was entitled unto for the Year ending at *Easter* next before the passing of the said Act, for or in respect of the said Piece of Ground, or from the Occupiers or Occupier thereof, and to the Senior Churchwarden of the Parish of *Saint Pancras* for the Time being, for the Use of the Parishioners of the said Parish, a clear Rentcharge or annual Sum of Five Pounds, which said respective Rentcharges or annual Sums should be paid by even and equal half-yearly Payments upon the Twenty-ninth Day of *September* and the Twenty-fifth Day of *March* in every Year for ever, the first Payment of the said respective Rentcharges or annual Sums to be made upon the Twenty-ninth Day of  
*September*

*The Camden Town Cemetery Act, 1854.*

*September* One thousand eight hundred and five, and in case any Senior Churchwarden of the Parish of *Saint Martin in the Fields* should at any Time neglect or refuse to pay the said Rentcharges or annual Sums to the Persons respectively entitled thereto by virtue of the said Act, on the respective Days thereby appointed for the Payment thereof, or within Twenty-one Days after the same should be demanded, such Rentcharges or annual Sums respectively should be recovered from the Senior Churchwarden of the said Parish of *Saint Martin in the Fields* for the Time being by Action of Debt in any of His Majesty's Courts of Record at *Westminster*, and which Action should not abate or be discontinued by the Death, Removal, or Resignation, or going out of Office, of any such Churchwarden, but might be proceeded in against the succeeding Churchwarden for the Time being, on giving Notice to such succeeding Churchwarden of such Action, and all such Sums of Money which should be so paid by or recovered from any such Churchwarden of the said Parish of *Saint Martin in the Fields* should be allowed him in his Accounts with the said Parish; and that the Vicar, Churchwardens, and Clerk of the said Parish of *Saint Martin in the Fields* for the Time being, and also the Sexton to be appointed to officiate at the said then intended Burial Ground, should respectively from Time to Time receive, take, and enjoy the like Funeral Rates, Fees, Dues, and Profits from or in respect of the Burial and Grave Stones within the said intended Burial Ground and Vaults as were then due and payable to the said Vicar, Churchwardens, Clerk, and Sexton of the said Parish of *Saint Martin in the Fields*, for or in respect of the Burial or Grave Stones within the Churchyard of the said Parish, or such other Rates, Fees, and Dues with respect to the Burials, and the erecting of Monuments, Tomb Stones, and Grave Stones, within the said intended Burial Ground and Vaults, as might thereafter from Time to Time be settled and established by the Vicar, Churchwardens, and the rest of the Vestrymen of the said Parish of *Saint Martin in the Fields* for the Time being in Vestry assembled, with the Approbation of the Ordinary of the Diocese for the Time being; and that the Churchwardens of the said Parish of *Saint Martin in the Fields* for the Time being should and they were thereby required to apply all such Fees and other Sums of Money which they the said Churchwardens should from Time to Time receive on account of Burials within the said Ground (other than and except such Fees as they were thereby required to account for and pay to the Vicar, Churchwardens, Clerk, and Sexton of the said Parish of *Saint Pancras* for the Burial of any of the Inhabitants in the said intended Burial Ground), in the Manner following, (that was to say,) in the first place, in paying the said respective Rentcharges or annual Sums thereinbefore made payable, and afterwards in paying a Salary or Salaries to a Clergyman, Clerk, and Sexton, to be appointed as thereinbefore mentioned, and in providing Books, Surplices, and all other

[Local.]

27 X

Necessaries

*The Camden Town Cemetery Act, 1854.*

Necessaries for the said Chapel, and defraying all other Expenses of carrying the Purposes of the said Act into execution (other than and except the Expenses to be borne and paid out of the Money to be received by the granting of Annuities as therein-after was directed), and that the Residue (if any) of such Fees and other Sums of Money as aforesaid should be applied in such Manner as the same Fees and other Sums of Money would have been applicable in case the said Act had not been made, and in case such Fees and other Sums of Money as last aforesaid should at any Time prove insufficient to answer the several Purposes before mentioned, then that the Deficiency should be made up and paid out of any Money in the Hands of the Overseers of the Poor of the said Parish of *Saint Martin in the Fields* arising from any Rate made or to be made for the Relief of the Poor of the said Parish, and in case there should be no Money in the Hands of the said Overseers arising from such Rate as aforesaid, then it should be lawful for the said Overseers and they were thereby required to make a Rate for that Purpose, which Rate should be made, raised, levied, and collected as any Rate for the Relief of the Poor of the said Parish of *Saint Martin in the Fields* could by Law be made, raised, levied, and collected, and that all such Payments should be allowed to the said Overseers in their Accounts with the said Parish; and after reciting that the Burial Fees received by the Churchwardens for the Time being of the said Parish of *Saint Martin in the Fields* had theretofore been appropriated towards repairing and amending the Church, Churchyard, and Vestry Room of the said Parish, and that by reason of such Burial Fees being thereafter applied in the Manner directed by the said Act, it might become necessary from Time to Time to make a Rate or Assessment upon the Parishioners of the said Parish for the Repair of the said Church, Churchyard, and Vestry Room; it was enacted, that any such Rate or Assessment which should thereafter be made for the Repair of the said Church, Churchyard, and Vestry Room should, on Refusal or Neglect to pay the same by any Person or Persons liable thereto, be recovered by the Churchwardens of the said Parish in like Manner in all respects as any Rates made for the Relief of the Poor of the said Parish could be recovered by the Churchwardens or Overseers thereof; provided always, that it should be lawful for any Person or Persons who should think himself, herself, or themselves aggrieved by any such Rate or Assessment, on giving reasonable Notice to the Churchwardens of the said Parish, to appeal to the next General or Quarter Sessions of the Peace to be held for the County of *Middlesex*, and the Justices of the Peace then and there assembled were by the said Act authorized and required to hear and finally determine the Matter of such Appeal; and after authorizing the raising of a Sum or Sums not exceeding Four thousand Pounds, by the Sale of an Annuity or Annuities for a Life or Lives not exceeding in the whole the yearly

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*The Camden Town Cemetery Act, 1854.*

Sum of Four hundred Pounds, to be paid as in the said Act mentioned, the said Act directed that the Money so to be raised should be applied in defraying the Expenses of inclosing and fencing the said Piece of Ground, and doing all things necessary and proper for making such Ground fit and convenient for the Burial of the Dead, and of building the said Chapel, and the said Vaults under the same, and the said House and other Buildings necessary for the Residence of a Clergyman, and such other Persons as should be appointed for the Care and Protection of the said Ground, and the other Purposes of the Act: And whereas by an Act of Parliament made and passed in the Fifty-eighth Year of the Reign of King *George* the Third, intituled *An Act for enabling the Trustees acting under Letters Patent granted by King Charles the Second to dispose of certain old Almshouses and other Premises held in trust for the Parish of Saint Martin in the Fields in the County of Middlesex, and for vesting Part of the new Burial Ground belonging to the said Parish at or near Camden Town in the said Trustees as a Site for erecting new Almshouses thereon, and for other Purposes*, after reciting that His Majesty King *Charles* the Second, by His Letters Patent under the Great Seal of *England*, bearing Date at *Westminster* the Thirty-first Day of *May* in the Thirty-sixth Year of His Reign, did give and grant, for Him, His Heirs and Successors, unto the Right Honourable *Thomas Lord Jermyn* and his Heirs (amongst other things) a Piece or Parcel of Ground whereon the Fabric of a Church then used by the *French* Protestants was erected, and certain Almshouses in the now reciting Act mentioned, to hold to the said *Thomas Lord Jermyn*, his Heirs and Assigns, in trust for the Benefit of the Poor of the said Parish of *Saint Martin in the Fields*; and after reciting several mesne Indentures made from Time to Time for appointing Trustees of the said last-mentioned Piece of Ground, Fabric of a Church, and Almshouses, and for vesting the same in such Trustees in trust as aforesaid, and, lastly, Indentures of Lease and Release bearing Date the Eighteenth and Nineteenth Days of *December* One thousand eight hundred and one, whereby the said Piece or Parcel of Ground granted by the said Letters Patent of King *Charles* the Second, together with the said Fabric of a Church, Almshouses, and other Buildings thereon, were conveyed unto *Anthony Hamilton*, the then Vicar of the said Parish of *Saint Martin in the Fields*, and *Isaac Bignold* and *Evan Williams*, the then Churchwardens of the same Parish, and *Charles Minier*, *Thomas Hay*, *William Gilpin*, *Thomas Wood*, *Daniel Willshen*, *John Beck*, *Pascoe Grenfell*, *Richard Chalmers*, *Samuel Beckwith*, *Robert Green*, *Jeremiah Watkins*, and *George Holland*, all then of the same Parish, their Heirs and Assigns, in trust only to the Use and for the Benefit of the Poor of the said Parish of *Saint Martin in the Fields*, and upon further trust that they should stand seised of all the Premises until they should be reduced unto the Number of Six, at which Time the then surviving Six should

*The Camden Town Cemetery Act, 1854.*

should grant and convey the same Premises unto Fifteen others, Parishioners of the said Parish of *Saint Martin in the Fields*, which should be chosen by the Order of the Gentlemen of the Vestry of the same Parish for the Time being, and to their Heirs and Assigns, for the Trusts aforesaid; and that the said *Evan Williams, Thomas Hay, William Gilpin, Daniel Willshen, John Beck, Pascoe Grenfell, Richard Chalmers, Robert Green, and George Holland*, were the only surviving Trustees named in the said last-mentioned Indentures; and that the said Almshouses had been, for the whole or nearly the whole of the Period which had elapsed since the said Grant thereof by His said Majesty King *Charles* the Second, occupied by aged poor Women of the Parish of *Saint Martin in the Fields*, to whom certain monthly Stipends had been paid out of the Rents of the said *French* Protestant Church, and of other Properties belonging to the said Parish, and that the Number of the aged poor Women so maintained had for some Years past been not less than Sixty, and that the yearly Income theretofore applied to the Payment of such Stipends was fully adequate thereto; and the said Almshouses and the Sites thereof respectively, and other the Ground and Hereditaments held under the said recited Letters Patent of King *Charles* the Second, were more particularly described in the Schedule to the now reciting Act marked (B.); and that the aforesaid Almshouses, which were situate in *Crown Street*, in the Parish of *Saint Ann, Westminster*, aforesaid, had fallen so much into decay, that they were deemed incapable of being effectually repaired without rebuilding, and the same being situate in a Neighbourhood which, from the Increase of Buildings and other Causes, had become much crowded, and being also out of the said Parish of *Saint Martin in the Fields*, it had appeared to the said then surviving Trustees thereof that it would not be desirable to rebuild the same on their then Site; and after further reciting the said Act of the Forty-fourth Year of the Reign of King *George* the Third, and that the Vicar and Churchwardens and Overseers of the said Parish of *Saint Martin in the Fields*, and the Vestrymen of the said Parish, (being the Trustees acting in the execution of the same Act,) had proposed to the said *Evan Williams, Thomas Hay, William Gilpin, Daniel Willshen, John Beck, Pascoe Grenfell, Richard Chalmers, Robert Green, and George Holland*, (the said then surviving Trustees,) to give up to them a sufficient Portion of the aforesaid new Burial Ground at *Camden Town*, in consideration of their erecting Almshouses thereon, to be used and occupied in the same Manner as the aforesaid old Almshouses in *Crown Street* had been theretofore used and occupied, and in lieu thereof; and that the Piece of Ground so proposed to be given for the Purpose aforesaid was situate at or near the South-west Side of the said new Burial Ground, ranging along the said new Street called *Bayham Street*, and the Dimensions thereof were more fully stated in the Schedule to the now reciting Act marked

(A.);



*The Camden Town Cemetery Act, 1854.*

(A.); and that it would be advantageous to the said Parish that such Almshouses should be erected upon the said Portion of the said new Burial Ground, inasmuch as the same would afford a considerable Protection to the said Burial Ground, and that the same Ground was of such Magnitude as to render it very improbable that the Subtraction of so small a Part thereof would at any Time be productive of Inconvenience from want of sufficient Room to bury the Dead; and that it would be advantageous to the Objects of the said Charity that the said new Almshouses should be so erected, not only from the Circumstance of the said Ground for erecting the same being acquired without any pecuniary Consideration, but also on account of the Salubrity of the Situation; and that the Expense of erecting the said new Almshouses might be conveniently raised by Sale of the old Materials of the aforesaid Almshouses when the same should be pulled down, and by Sale of the Sites of the same, and also of the *French Protestant Church, Charity House, and other Buildings held under the said recited Letters Patent of His Majesty King Charles the Second, and the Sites thereof, and other the Lands held under the said Letters Patent; and that the Reverend Joseph Holden Pott Clerk, Master of Arts, and Archdeacon of London, the Vicar of the said Parish, and the Churchwardens, Overseers, and Vestrymen of the said Parish, and also the said Evan Williams, Thomas Hay, William Gilpin, Daniel Willshen, John Beck, Pascoe Grenfell, Richard Chalmers, Robert Green, and George Holland, (the said surviving Trustees of the said Indenture of Release of the Nineteenth Day of December One thousand eight hundred and one,)* were severally consenting to the aforesaid Proposals and Arrangement, and desired that the same should be carried into execution; it was enacted, that from and after the passing of the said now reciting Act all that Piece or Parcel of Ground being Part of the said Piece of Ground described in the said Schedule to the now reciting Act marked (A.), (and by the said recited Act of the Forty-fourth Year of the Reign of King *George the Third* vested in the Vicar and Churchwardens of the said Parish of *Saint Martin in the Fields* and their Successors as aforesaid,) which was then staked out, and in the said Schedule particularly specified and described, (and which Piece or Parcel of Ground so then staked, is now also further described in the Schedule marked (A.) to this Act,) should be divested out of the said Vicar and Churchwardens, and freed and discharged from all and every the Trusts, Provisoes, and Restrictions of the said therein recited Act of Parliament of the Forty-fourth Year of the Reign of King *George the Third*, and that in lieu thereof the same Piece or Parcel of Ground should be and the same was thereby vested in the said *Evan Williams, Thomas Hay, William Gilpin, Daniel Willshen, John Beck, Pascoe Grenfell, Richard Chalmers, Robert Green, and George Holland (the said then surviving Trustees named in the said recited Indenture of Release of the*

*The Camden Town Cemetery Act, 1854.*

Nineteenth Day of *December* One thousand eight hundred and one), their Heirs and Assigns, for ever, upon and for the same Trusts, Intents, and Purposes, and with the same Power of appointing new Trustees, and subject to the same Powers, Provisoos, Declarations, and Restrictions, as were expressed or by reference declared in and by the said Indenture of Release of the Nineteenth Day of *December* One thousand eight hundred and one concerning the aforesaid old Almshouses, and the *French* Protestant Church, and other Buildings and Premises comprised in or held under the said recited Letters Patent of His Majesty King *Charles* the Second, and such further Trusts, Powers, Provisoos, and Restrictions as in the said now reciting Act are declared and contained, and upon or for no other Trust, Intent, or Purpose whatsoever; and that it should be lawful to and for the said last-named Trustees to cause or procure to be erected and built upon the Portion of Ground at the South-west Side of the said new Burial Ground belonging to the said Parish of *Saint Martin in the Fields* at or near *Camden Town* aforesaid, specified and described in the said Schedule to the said reciting Act marked (A.), and ranging along the said new intended Street called *Bayham Street* (being the said Piece of Ground described in the said Schedule marked (A.) to this Act), such good and substantial Buildings, to be used as Almshouses, as the said Trustees should think proper, according to such Plan, Elevation, and Particulars as had been or should be approved of by the said Trustees, and to fit up the same in such Manner in all respects as to render the same fit and proper for the Residence of such Almswomen as aforesaid, and also to cause or procure to be pulled down, demolished, and destroyed the Almshouses then standing and being in *Crown Street* aforesaid; and that the new Almshouses to be built as aforesaid should be and the same were thereby vested in the said *Evan Williams, Thomas Hay, William Gilpin, Daniel Willshen, John Beck, Pascoe Grenfell, Richard Chalmers, Robert Green, and George Holland*, their Heirs and Assigns, for ever, upon and for such and the same Trusts, Intents and Purposes, and with the same Power of appointing new Trustees, and subject to the same Powers, Provisoos, Declarations, and Restrictions, as were expressed and by reference declared in and by the said Indenture of the Nineteenth Day of *December* One thousand eight hundred and one concerning the aforesaid old Almshouses therein comprised; and that it should be lawful to and for the said *Evan Williams, Thomas Hay, William Gilpin, Daniel Willshen, John Beck, Pascoe Grenfell, Richard Chalmers, Robert Green, and George Holland*, or the Survivors or Survivor of them, or the Heirs or Assigns of such Survivor, absolutely to make sale and dispose of the old Materials of the then Almshouses in *Crown Street* aforesaid, and also to make Sale of the Ground on which the same Almshouses respectively stood, and all other the Premises held under the said Letters Patent of  
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*The Camden Town Cemetery Act, 1854.*

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King *Charles* the Second, or any Part or Parts of the same, and the Fee Simple and Inheritance or absolute Interest therein (but subject to any existing Lease or Interest as to the said *French* Protestant Church), by Public Auction or Private Contract, for such Price or Prices in Money, at such Time or Times, and in such Manner in all respects as they the said Trustees or Trustee should in their or his Discretion deem most advisable and beneficial, and to make and execute all such Conveyances and other Assurances of, upon, and concerning the last-mentioned Premises, or any Part or Parts thereof, from Time to Time as should be necessary and proper for carrying into Effect the Trusts and executing the Powers of the said now-reciting Act, or any of them; and that all and singular the Monies to be raised and produced by Sale of the old Materials of the aforesaid old Almshouses, or by selling the said Premises or any Part or Parts thereof, under the Powers of the said now-reciting Act, should be applied (under the Direction of the Court of Chancery), in the first place, in paying and discharging all the Costs, Charges, and Expenses of obtaining and passing the said now-reciting Act, and all other Charges incident or relating thereto, and in the second place in paying and satisfying all Costs, Charges, and Expenses incurred or sustained, or to be incurred or sustained, in or about the erecting, completing, and fitting up of the said new Almshouses upon such Part of the said new Burial Ground at or near *Camden Town* aforesaid as therein-before mentioned, and making the same fit and proper for the Reception and Accommodation of the aforesaid Almswomen, and in the next place in paying and satisfying all such other Costs, Charges, and Expenses (incidental to the Objects and Purposes intended to be provided for by the now-reciting Act) as the said Court should think it necessary or proper to pay and discharge, and that if there should happen to be any Surplus of such Trust Monies the same should be laid out and invested (under the Direction of the said Court) in the Purchase or Purchases of Messuages, Lands, Tenements, and Hereditaments of Inheritance in Fee Simple, to be situate in *England*, whereof any Portion (not exceeding One Sixth Part) of the Hereditaments so to be purchased might be Copyhold or Customary Hereditaments or Tenements of Inheritance, and that the Messuages, Lands, Tenements, and Hereditaments so to be purchased should, immediately upon or after the Purchase of the same, be (under the like Direction of the said Court) conveyed, assured, and settled unto and to the Use of the said *Evan Williams, Thomas Hay, William Gilpin, Daniel Willshen, John Beck, Pascoe Grenfell, Richard Chalmers, Robert Green, and George Holland*, or the Survivors of them, or the Trustees or Trustee for the Time being acting in their Place, and the Heirs and Assigns of the said Trustees or Trustee, upon and for the same Trusts, Intents, and Purposes as under and  
by

*The Camden Town Cemetery Act, 1854.*

Order in  
Council  
dated 29th  
Dec. 1853,  
ordering  
Burials to  
cease after  
1st May  
1856.

by virtue of the said recited Letters Patent of His Majesty King *Charles* the Second, and the said recited Indentures of Lease and Release of the Eighteenth and Nineteenth Days of *December* One thousand eight hundred and one, were previously to the passing of the said now-reciting Act subsisting or capable of taking effect, of or in the said Almshouses, Ground, Hereditaments, and Premises comprised in the said Letters Patent and Indentures respectively, and thereby made saleable as aforesaid, or such and so many of the same Trusts, Intents, and Purposes as should be then subsisting undetermined or capable of taking effect, or as near thereto as the Nature of the Estates so to be purchased, the Existence of Persons, and other Contingencies would admit: And whereas the said Ground provided by the said Act of the Forty-fourth Year of the Reign of King *George* the Third is called and known by the Name of the "*Camden Town Cemetery*:" And whereas by an Order of the Queen in Council, bearing Date the Twenty-ninth Day of *December* One thousand eight hundred and fifty-three, and made in pursuance of an Act passed in the Session of Parliament held in the Fifteenth and Sixteenth Years of Her Majesty's Reign, intituled *An Act to amend the Laws concerning the Burial of the Dead in the Metropolis*, it was ordered that Burials should be discontinued as follows in the said *Camden Town Cemetery*, from and after the Ninth Day of *January* One thousand eight hundred and fifty-four (except as therein otherwise directed), viz., "*Saint Pancras*, with the Exception of private Vaults and Graves, not more than One Body to be buried in any Grave in *Camden Town Cemetery*, belonging to the Parish of *Saint Martin in the Fields*, and situate in the Parish of *Saint Pancras*, and no Burials to take place within Ten Yards of any inhabited House, and wholly to cease in the said Cemetery from and after the First of *May* One thousand eight hundred and fifty-six:" And whereas the Income of the Vicar of the said Parish of *Saint Martin in the Fields* has been in a great Measure made up by the Fees received by him in respect of Burials in the said Cemetery called the *Camden Town Cemetery* provided by the said Act of the Forty-fourth Year of the Reign of King *George* the Third, and in the other Cemeteries of the Parish, and it is considered that in consequence of the closing of the Cemeteries the Fees to be henceforth received by him on account of Burials may be so much diminished that the Income derived from the Vicarage will be insufficient for the proper Support of the Vicar, and it is desirable, if possible, to make up a Fund for supplying such Deficiency: And whereas by reason of the closing of the said *Camden Town Cemetery* and the Prohibition of Burials therein, the Fees which were payable to the Churchwardens of the said Parish of *Saint Martin in the Fields* on account of Burials within the said *Camden Town Cemetery*, and which by the said Act of the Forty-fourth Year of the Reign of King *George* the Third were made applicable

*The Camden Town Cemetery Act, 1854.*

applicable for the Payment of the said Rentcharges or annual Sums by the said Act made payable as aforesaid, will almost cease and determine, and will be altogether insufficient for the Payment of the said Rentcharges or annual Sums, and the Deficiency must under the Provisions of the same Act be payable out of and become a perpetual Charge upon the Rates levied for the Relief of the Poor of the same Parish, or Rates to be made, raised, levied, and collected under the same Act for that Purpose, in like Manner as Rates for the Relief of the Poor of the same Parish can by Law be made, raised, levied, and collected: And whereas several Parts of the said Ground provided for a Cemetery by the said Act of the Forty-fourth Year of the Reign of King *George* the Third have never been used for the Purposes of a Cemetery, except that Two Graves have been made in a Part thereof abutting upon *Bayham Street*: And whereas no Vaults or Interments have been made in or under the Chapel built on Part of the said Land, and such Chapel has been used only for the Purpose of performing the Burial Service on Interments in the said Ground: And whereas the said Parts of the said Land unused for the Purposes of a Cemetery embrace large Frontages abutting on Streets, and considerable Depth of Ground, and are respectively described in the Schedule marked (B.) to this Act, and it is considered that the same might be advantageously let or disposed of for Building Purposes, and that the Rents thereof, if let for such Purposes, would be available for making up to the Vicar the Deficiency which may be caused in his Income as aforesaid, and also for providing for the Payment of the said Rentcharges or annual Sums, and relieving the Ratepayers of the Parish from the Burden of such Rentcharges or annual Sums: And whereas it is considered that it would be advantageous if Means could be obtained, by the Disposal of the unused Parts of the said Cemetery, for the Purchase and Extinguishment of the said Rentcharges or annual Sums, and for the Purchase of another Burial Ground for the said Parish of *Saint Martin in the Fields*, or for effecting such other Purposes for the Benefit of the Parish as may be approved of by the Vestry: And whereas the Almshouses which have been built of the said Piece of Ground which was provided for that Purpose by the said Act of the Fifty-eighth Year of the Reign of King *George* the Third extend for a long Distance along the Street, and take up a large Frontage of the said Ground provided by the said Act of the Forty-fourth Year of the Reign of King *George* the Third, and it is considered that the Removal of the said Almshouses, and the Addition of the Site thereof to the Land proposed to be authorized to be let or disposed of for Building Purposes, would add very considerably to the Value and Eligibility of such Land for Building Purposes, and that the Removal of the said Almshouses to a less crowded Site would be advantageous to the Purposes of such Almshouses, and beneficial to the Occupiers thereof,

*The Camden Town Cemetery Act, 1854.*

thereof, and that a Site for such Almshouses may be obtained in a better Situation than the present for a much less Sum than the Value of the present Site thereof: And whereas there are no Means at present available for the Purchase and Extinguishment of the said Rentcharges or annual Sums, or for the Purchase of the Site of the said Almshouses, and the Purchase of a new Site for the same, and the Re-erection of Almshouses on such new Site; and it has been proposed that Powers should be given for raising Money for effecting such Purposes by Mortgage and Sale, or either of such Modes, of the said Land which has not been used for the Purposes of Interment, and also Powers to sell the same Land or Parts thereof, and lay out the ultimate Surplus of the Produce thereof either in or towards the Purchase or Acquisition of a new Burial Ground for the said Parish of *Saint Martin in the Fields*, or for other Purposes for the Benefit of the same Parish and the Parishioners or Inhabitants thereof: but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and 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; (to wit,)

Provisions  
of 44 Geo.  
3. clxxxv.  
as to Land  
not used for  
Interments  
repeated.

I. That from and after the passing of this Act so much of the said recited Act of the Forty-fourth Year of the Reign of His late Majesty King *George* the Third as enacts that the Portions of the said Burial Ground which are specified and described in the Schedule marked (B.) to this Act, being the Portions of the said Burial Ground which have not been heretofore used for the Purposes of Interment, shall for ever thereafter be used as and for an additional Burial Ground for the Parish of *Saint Martin in the Fields*, and that the said Chapel shall be used for the Purpose of Interments and of performing Funeral Service, shall be and the same is hereby repealed.

Appoint-  
ment of  
Vicar,  
Churchwar-  
dens, &c.  
to be  
Trustees.

II. The Vicar and Churchwardens of the said Parish of *Saint Martin in the Fields* for the Time being, and the other Persons hereby appointed or to be appointed as herein-after is mentioned, shall from Time to Time be the Trustees for the Purposes of this Act; and the Acts and Deeds of a Majority of the Trustees for the Time being, so that the Vicar and Churchwardens, or Two of them, shall form Part of such Majority and concur therein, shall be as good and effectual as if all the Trustees had concurred in such Acts and Deeds.

Appoint-  
ment of  
Six Parish-  
ioners to be  
Trustees  
with the

III. That *Michael Staunton* of *Craven Street*, *Richard Cobbett* of *Northumberland Street*, *James Labram* of *Saint Martin's Court*, *James Bowen* of *Panton Street*, *Haymarket*, *Samuel Barton* of the *Strand*, and *Henry Hutchings* of *Long Acre*, all being Parishioners and

*The Camden Town Cemetery Act, 1854.*

and Ratepayers of the said Parish of *Saint Martin in the Fields*, shall be the first Trustees in addition to the Vicar and Churchwardens, and all future Trustees to be appointed in their or any of their Stead shall be resident in and Ratepayers of the same Parish.

Vicar and Churchwardens.

IV. Any Trustee other than the Vicar or Churchwardens may resign his Office by giving Notice in Writing to the Vestry Clerk, or to the Vicar, or One of the Churchwardens; and every Trustee, other than the Vicar and Churchwardens, who shall cease to reside in and to be a Ratepayer of the Parish, or shall neglect to attend Five successive Meetings of the Trustees to which he shall have been summoned by any others of the Trustees, shall thereupon cease to be a Trustee.

Power to Trustees, except Vicar and Churchwardens, to resign, and if non-resident &c. to cease to be Trustees.

V. Vacancies in the Office of Trustees (other than the Vicar and Churchwardens) may be filled up by the Vestry of the said Parish of *Saint Martin in the Fields*, when and as often as the Vestry shall think fit, and in Cases when the Number of such other Trustees shall, by Death, Resignation, or otherwise, be reduced to Three or less, then and in such Case new Trustees shall be appointed by the Vestry to fill the Vacancies.

Vacancies in office of Trustees to be filled up by Vestry.

VI. The Business of Trustees shall be conducted at Meetings; and Meetings of Trustees shall be held at such Times and Place in the Parish of *Saint Martin in the Fields*, and the several Trustees shall be summoned thereto in such Manner as the Trustees shall from Time to Time resolve, but the Concurrence of such Majority of the Trustees as aforesaid shall be requisite in order to give Validity to the Acts and Deeds of a Meeting.

Business of Trustees to be transacted at Meetings.

VII. The Trustees may from Time to Time appoint and remove at pleasure a Treasurer, Clerk, and Surveyor, or any such Officers, and such other Officers and Servants as may be necessary, and may appoint and pay Salaries, Allowances, and Wages to any of them, not exceeding such Amount as shall from Time to Time be fixed by the Vestry in Cases where the Vestry shall fix such Amount, but in Cases where such Amount shall not be fixed by the Vestry, then such Salaries, Allowances, and Wages as the Trustees shall deem reasonable, and, when necessary, may from Time to Time hire or rent at such Rent as they may deem reasonable a sufficient Office for holding their Meetings and transacting their Business; but the Trustees shall bear their own Expenses at all their Meetings held for the Purposes of this Act; and all Monies payable to the Trustees shall be paid to their Treasurer, whose Receipt shall be a Discharge to all or any Persons or Person who shall pay any Money of the Trustees to such Treasurer.

Trustees may appoint Clerk, Treasurer, Officers, and Servants, and pay them, and rent an Office.

VIII. All

*The Camden Town Cemetery Act, 1854.*

Trustees to  
keep Books  
of Proceed-  
ings.

VIII. All Orders, Appointments, and Proceedings of the Trustees shall be entered into Books to be kept by them for such Purpose, and shall be signed by such Majority of the Trustees as is herein-before authorized to execute or perform the Acts of Trustees; and all Orders, Appointments, and Proceedings, when so entered, and purporting to be so signed, shall be deemed and may be produced and read as Evidence of all such Orders, Appointments, and Proceedings in any Court of Law or Equity, or for any Purpose whatsoever.

Trustees to  
sue in Name  
of Vestry  
Clerk and  
reimburse  
his Ex-  
penses.

IX. The Trustees of this Act may sue and be sued in the Name of the Vestry Clerk for the Time being of the said Parish of *Saint Martin in the Fields*; and that no Action or Suit so brought or commenced shall abate or be discontinued by the Death of such Vestry Clerk, or by any Act of the Vestry Clerk, without the Consent of the Trustees; and such Vestry Clerk shall be reimbursed and indemnified out of the Moneys to arise by this Act all such Costs, Damages, and Expenses as he shall be put unto or become chargeable with on account of any such Action or Suit.

Power to  
close Burial  
Ground  
before  
Time men-  
tioned in  
Order of  
Council.

X. The Trustees of this Act shall have Power and Authority to close the said Cemetery for Interments before the said First Day of *May* One thousand eight hundred and fifty-six, if they shall think fit.

Road and  
Access  
from Bay-  
ham Street  
to the Ce-  
metery  
to be  
provided.

XI. The Trustees of this Act shall set apart and lay out a Piece of Ground of the Width of Thirty Feet at least, at the West End of the Piece of Ground fifthly described in the Schedule marked (B.) hereto, in order to form and for ever hereafter be appropriated as a Road and Access from *Pratt Street* to the Part of the Cemetery to be retained as a Cemetery.

Power to  
grant Build-  
ing Leases  
for Terms  
not exceed-  
ing 99  
Years  
of Ground  
comprised  
in Schedule  
(B.).

XII. From and after the passing of this Act it shall be lawful for the Trustees of this Act, and they are hereby authorized and empowered, from Time to Time, by Deed or Deeds duly signed and delivered and attested, to demise or lease all or any Part or Parts of the said Lands and Hereditaments specified and described in the said Schedule marked (B.) to this Act, inclusive of the Site of the said Chapel, for any Term or Number of Years absolute, not exceeding Ninety-nine Years, to take effect in possession, and not in reversion or by way of future Interest, to any Person or Persons who shall be willing and shall covenant and agree to improve the same by erecting or building any House or Houses, Erections or Buildings, on the Land or Ground proposed to be demised or any Part thereof, or by improving or repairing any House or Houses which hereafter may be erected and built thereon, or by erecting or building any other House or Houses, Erections or Buildings, in lieu thereof or in addition thereto,



*The Camden Town Cemetery Act, 1854.*

thereto; and with or without Liberty for the Lessees to take down all or any of the Buildings standing on the Premises so demised or to be demised, and by Sale or otherwise to convert and dispose of the Materials thereof; and also with or without Liberty for the Lessees to set out and allot any Parts of the Land or Ground comprised in such Leases respectively, or hereby authorized to be demised, as and for the Site of Streets, Roads, Courts, Ways, Paths, Passages, Sewers, Drains, Walls, Fences, Yards, Gardens, or otherwise, for the Use and Convenience of individual Lessees, Tenants, or Occupiers of the Premises; and also with or without Liberty for the Lessees to dig and make in or under any of the Land or Ground which may be demised or set out or allotted for Streets, Roads, Courts, Ways, or Passages as aforesaid, Arches, Cellars, or other Easements to any Houses or Buildings; and also with or without Liberty for the Lessees to fell, cut, dig, and to use or carry away, sell, and dispose of, in and upon or out of the Land or Ground comprised in their respective Leases such Trees, Earth, Clay, Loam, Sand, Gravel, or other Materials as it may be necessary or convenient to use or remove for effecting any of the Purposes aforesaid; so that in every such Lease there be reserved (except where a Pepper-corn Rent may be reserved according to the Provisions herein-after contained) the best yearly Rent that can, according to the Nature of the Case, be reasonably obtained for the Premises demised, to be made payable quarterly or half-Yearly, without any Fine, Premium, or Foregift, or any thing in the Nature of a Fine, Premium, or Foregift, being taken for making such Lease; and so that in every such Lease made for the Purpose of having Buildings finished or erected and built there be contained a Covenant on the Part of the Lessee or Lessees substantially to build and finish, under the Inspection and with the Approbation of the Surveyor of the Lessors, the Houses or other Buildings which may be agreed to be built upon the Premises, if not then already done, within a Time to be specified for that Purpose, and to keep in repair during the Term such Houses and other Buildings; and so that in every such Lease made for the Purpose of having Buildings rebuilt or repaired there be contained a Covenant on the Part of the Lessee or Lessees substantially to rebuild or repair the same within a Time to be specified for that Purpose, and to keep in repair during the Term the Houses and other Buildings agreed to be rebuilt or repaired; and so that in every Lease to be made under this Power there be contained a Covenant from the Lessee or Lessees for the due Payment of the Rent or Rents thereby to be reserved, except Pepper-corn Rents, and of all Taxes, Charges, Rates, Assessments, and Impositions whatsoever affecting the Premises comprised in the Lease, and also a Covenant for keeping the Houses and Buildings erected and built or improved on the Premises insured from Loss or Damage by Fire to the Amount of Two Thirds at least of the Value thereof in some or one of the public Offices of

*The Camden Town Cemetery Act, 1854.*

Insurance in *London* or *Westminster*, and for laying out the Money to be received by virtue of such Insurance, and all such other Sums of Money as shall be necessary, in substantially rebuilding, repairing, and reinstating such Messuages or Buildings as shall be destroyed or damaged by Fire, or a Covenant to allow the Lessors to effect such Insurances as may be necessary, and to add the Premiums payable thereon to the Rent reserved in such Leases, and a Covenant to surrender and leave in repair the Houses and other Buildings to be erected and built or repaired on the Premises, comprised in any such Lease, on the Expiration or other sooner Determination of the Term to be thereby granted, and also a Proviso or Condition of Re-entry for Nonpayment of the Rent to be reserved, except Pepper-corn Rents, if the same should be in arrear for Twenty-one Days, and not paid when demanded on or at any Time after the Expiration of the said Twenty-one Days, but with or without a Proviso or Condition for Re-entry for Non-observance or Non-performance of all or any of the Covenants and Provisoes therein contained as may be agreed on, and also all such other Covenants, Conditions, and Provisions, if any, as may appear to be reasonable and proper; and so that the respective Lessees execute Counterparts of their respective Leases; and so that no Lessee to whom any such Lease shall be made be, by any Clause or Words therein contained, authorized to commit Waste or exempted from Punishment for committing Waste, save so far as may be necessary for the Purposes hereby authorized.

As to Co-  
venants in  
Leases  
Granted for  
Buildings on  
Camden  
Town Es-  
tate.

XIII. Provided always, That in every Lease to be granted under the Authority of this Act of the said Lands and Hereditaments specified and described in the said Schedules marked A. and B. there shall be contained, for the Protection of the Marquis *Camden* and the *Camden Town* Estate, a Covenant that every House to be erected on the Ground thereby demised shall be at the least of the Third Rate or Class of Building, and that there shall not be carried on upon any of the said Houses so to be erected as aforesaid, which are intended to be converted into Shops, any noisome, dangerous, or offensive Trade or Business whatever, nor shall there be done any Act, Matter, or Thing that may be to the Annoyance, Damage, or Disturbance of the Lessees or Tenants of the Marquis *Camden*, or of the *Camden Town* Estate, and in case of any such noisome, dangerous, or offensive Trade being carried on in or upon any of the said demised Premises, or in case of any such Annoyance, Damage, or Disturbance from the carrying on of any such Trade, upon Complaint being made by any Six or more of the Lessees or Tenants of the said Marquis *Camden*, it shall be referred to the Surveyor of the Mercers Company for the Time being to determine between the Lessees or Tenants of the said demised Premises and the Lessees or Tenants of the said Marquis *Camden* making such Complaint as to the Trade or Business so carried on being noisome,  
dangerous

*The Camden Town Cemetery Act, 1854.*

dangerous, or offensive, or as to such Annoyance, Damage, or Disturbance, as the Case may be; and upon his deciding that any such Trade or Business is noisome, dangerous, or offensive, or that there is any such Annoyance, Damage, or Disturbance, the same shall be immediately abated; or, if not abated within One Calendar Month after such Decision as aforesaid, the Lease or Leases so granted as aforesaid shall be deemed and taken to be null and void to all Intents and Purposes whatsoever, and the Lessor shall have the usual Power of Re-entry; and that the Lessee of the said demised Premises, or the Parties creating such Annoyance, Damage, or Disturbance, or the Lessees or Tenants of the said Marquis *Camden* making such Complaint, shall, at the Option of the said Surveyor, pay the Charges of the said Surveyor for his Trouble occasioned by any such Reference so made to him; and that the Lessees in every such Lease or Leases to be granted under the Authority of this Act, in making any Drains or Sewers that shall be carried into the Drains or Sewers of the *Camden Town* Estate which have been made at the Cost of the Marquis *Camden*, shall pay to the Marquis *Camden* who shall have made such Drains or Sewers into which the same shall be carried Compensation for Leave to enter such Drains or Sewers, an Amount to be settled by the Surveyor of the Lessee or Lessees of the said Lease or Leases to be granted under the Authority of this Act and the Surveyor of the said Marquis *Camden*; and in case of their differing about the same, such Amount to be settled by an Umpire, to be agreed upon by them, and be paid by the Lessee or Lessees named in the Certificate to be signed by such Surveyors or such Umpire, as the Case may be, at the Time and in the Manner to be prescribed in such Certificate; and the said Marquis and his Lessees shall pay Compensation to the Trustees, or their Lessee or Lessees, to be decided in like Manner, for the User of any Sewers or Drains already made or which shall hereafter be made by them, or by the Trustees for the Time being, or their Lessee or Lessees, on any of the Lands comprised in this Act, which Sewers or Drains are or shall be used by the said Marquis or his Lessees for carrying Water or Sewage from his or their Lands or Houses.

XIV. From and at any Time or Times after the passing of this Act it shall be lawful for the Trustees of this Act to enter into any Contract or Contracts in Writing for granting any Lease or Leases under the Terms authorized by the Power of leasing herein-before contained of all Part or Parts of the said Lands and Hereditaments hereby authorized to be demised; and also to agree, or join in agreeing, that when and as any Land or Buildings that shall be so agreed to be let, or any Part or Parts thereof, shall be laid out, formed, or improved, and built upon or repaired in the Manner and to the Extent to be stipulated in any such Contract or Contracts, then the Land and Buildings and Premises mentioned in such Contract or Contracts or any Part or

Power to enter into preliminary Contracts for such Building Leases.

Parts

*The Camden Town Cemetery Act, 1854.*

Parts thereof shall be demised, in pursuance of the Power herein-before contained, to the Person or Persons contracting to take the same as aforesaid, or his, her, or their Executors, Administrators, or Assigns, or to such Person or Persons as he, she, or they shall appoint in that Behalf, such last-mentioned Person or Persons to be approved of by the Lessors, for and during the Remainder of the Term or Terms to be specified in such Contract or Contracts, and in such Parcels and at and under such fair Proportion, to be specified in such Contract or Contracts, of the entire yearly Rent or Rents in such Contract or Contracts agreed to be reserved as shall be thought proper, so that the proportionate Rent to be reserved in any such Lease shall not exceed One equal Sixth of the improved yearly Value or Rental of the Property to be comprised in such Lease, and to agree or join in agreeing that the yearly Rents in such Contract or Contracts agreed to be reserved may be made to commence at such Period or Periods, not exceeding One Year from the Date of such Contract or Contracts, and may be made to increase periodically, beginning with such Proportion of the full Rent thereby agreed to be paid as shall be thought advisable and increasing up to the full Rent, as shall be found convenient or thought proper, for a Period not exceeding Four Years, and shall in such Contract or Contracts be provided for; and also to agree or join in agreeing that the Person or Persons with whom such Contract or Contracts may be entered into may, until such Lease or Leases shall be granted, exercise and enjoy all or any of the Liberties which are authorized to be granted to Lessees under the Power of leasing herein-before contained.

Clause of  
Re-entry to  
be inserted  
in every  
such Con-  
tracts.

XV. In every Contract for a Lease which shall be entered into in pursuance of this Act there shall be inserted a Clause or Condition for vacating the same Contract as to and for re-entering into and upon such Part or Parts of the Premises therein comprised and agreed to be let as shall not have been actually leased in performance of the same Contract, in case the Hereditaments and Premises comprised in such Contract shall not be built upon or rebuilt, repaired, laid out, or formed or improved in the Manner in such Contract to be stipulated, and within a reasonable Time to be therein appointed, and also a Clause or Condition that the Person or Persons to whom such Lease or Leases ought to be granted pursuant to such Contract or Contracts shall accept the same, and execute a Counterpart or Counterparts thereof, and enter into a Covenant to pay such Charges of preparing the same, and within such Time as is therein mentioned; and that in default thereof such Contract, as to all the Premises not actually leased in pursuance of the same Contract, shall be void, and every such Contract shall be binding, and shall be carried into Execution by a Lease or Leases to be granted in pursuance of the Powers and subject to the Restrictions herein-before contained, so far as the same shall be applicable;

*The Camden Town Cemetery Act, 1854.*

applicable; and it shall be lawful for the Persons or Person executing the said Power of leasing herein-before contained, or this present Power, in and by any such Lease or Contract as aforesaid, to agree upon the Costs, Charges, and Expenses which shall be paid by such Lessee or Lessees as aforesaid for Surveys and other Works preliminary to or consequent upon the making of any such Leases or Contracts, and the preparing and executing such Contracts, and the Lease or Leases so to be granted as aforesaid, and the Counterpart or Counterparts thereof, and the Time or Times at which such Costs, Charges, and Expenses shall be paid.

XVI. It shall be lawful for the Trustees of this Act from Time to Time to enter into, or join in entering into, any new Covenant or Covenants with any Person or Persons with whom any Contract or Contracts shall have been entered into by virtue of this Act, by way of Addition, Explanation, or Alteration of all or any of the Covenants or Agreements in such Contract or Contracts respectively to be contained, or to release or join in releasing the Person or Persons respectively with whom any Contract or Contracts shall have been entered into by virtue of this Act, and his, her, or their Executors, Administrators, or Assigns, from the Observance of all or any Part of the same Contract or Contracts respectively, and if the same shall be thought expedient to enter into, or join in entering into, any new Contract, Covenants, or Agreements with such Person or Persons, or his, her, or their Executors, Administrators, or Assigns, in lieu of the Part or Parts of the same Contract or Contracts respectively which shall have been so released, but so that such new Contract or Contracts shall be in accordance with the Contracts herein-before authorized to be made.

Powers to  
revise and  
alter such  
Contracts.

XVII. Every Lease to be granted under any of the Provisions of this Act, if in conformity with the Power hereby created, shall be deemed and taken to be duly granted, although such Lease shall have been made in pursuance or in consequence of any previous Contract, and such previous Contract shall not in all respects have been duly observed, and notwithstanding any Variation between such Lease and such previous Contract, and after any Lease shall have been executed such Contract for such Lease shall not form any Part of the Evidence of the Title at Law or in Equity to the Benefit of the same Lease, provided such Lease shall be conformable to the Restrictions and Provisions herein contained with respect to Leases hereby authorized to be granted.

Validity of  
Leases  
granted un-  
der Powers  
of this Act.

XVIII. It shall be lawful for the said Trustees of this Act to confirm or join in confirming any Lease or Leases to be made by virtue of this Act in every or any Case in which, for some technical Error or

Power to  
confirm any  
Lease which  
from tech-

[*Local.*]

28 B

Informality

*The Camden Town Cemetery Act, 1854.*

tical Error  
or other De-  
fect would  
be otherwise  
voidable.

Informality in granting or extending the same, or otherwise, any such Lease or Leases shall be void or voidable, or to make or grant any Lease or Leases pursuant to the Powers and subject to the Restrictions herein-before contained in lieu of such void or voidable Lease or Leases for any Term or Estate not exceeding the then Residue of the Term or Estate granted or purporting to be granted by such void or voidable Lease or Leases respectively, but so nevertheless that no Fine or Premium shall in any Case be accepted or taken for making any such Confirmation or new Grant or Lease, and that such Confirmation or new Grant or Lease shall be made on such Terms and Conditions, and at such Rent or Rents, as should have been contained in the said voidable Lease or Leases if made in accordance with the Power herein contained.

Power to  
take down  
Chapel &c. on  
the Ground  
authorized to  
be leased,  
and to sell  
the Ma-  
terials.

XIX. It shall be lawful for the Trustees of this Act from Time to Time to take down the Chapel and other Buildings which shall be standing on the Land hereby authorized to be leased, and also the Boundary Walls and other Fences thereof, and to sell and dispose of the Materials thereof; and the Money to arise from such Sale shall be applied in like Manner as is herein-after directed with respect to the Rents to arise from the Lands which shall be leased.

Lands let or  
sold to be  
subject to  
the Control  
of the Cam-  
den Town  
Commis-  
sioners act-  
ing under  
3 G. 4. c.

XX. And whereas the Lands mentioned in the Schedules to this Act are situate in that Part of the Parish of *Saint Pancras* which is within the Jurisdiction of the *Camden Town* Commissioners acting under the Powers of an Act passed in the Third Year of the Reign of King *George* the Fourth, and intituled *An Act for watching, lighting, watering, cleansing, gravelling, and otherwise improving the Foot, Carriage, and other public Ways on certain Lands and Grounds in the Parish of Saint Pancras in the County of Middlesex called Camden Town*: And whereas the said Lands would have been subject to such Jurisdiction had they not been by the said Act of the Forty-fourth Year of the Reign of King *George* the Third expressly excluded therefrom, but the Senior Churchwarden of the Parish of *Saint Martin in the Fields* is, by the said Act passed in the Third Year of the Reign of King *George* the Fourth, liable to pay to the said *Camden Town* Commissioners the yearly Sum of Thirty Pounds for and on account of the Benefit derived by the said Lands from the Works of the Commissioners, and the said annual Payment has been for many Years and is still made to the said Commissioners: And whereas the said Lands were exempted as aforesaid by reason of the Uses to which they were then to be applied: And whereas in the event of such Lands being built upon as by this Act contemplated, it is to their Advantage and only reasonable that they should revert back to the Parish of *Saint Pancras*, and be brought within the Powers of the said Commissioners: Be it therefore enacted, That so  
much

*The Camden Town Cemetery Act, 1854.*

much of the said Lands as shall be for the Time being sold or let under the Provisions of this Act shall forthwith cease to be deemed and taken to be within and Part of the Parish of *Saint Martin in the Fields*, but shall on the contrary be forthwith deemed and taken to be within the Parish of *Saint Pancras*, and within the Jurisdiction of the *Camden Town Commissioners* acting under the Powers of the said Act of the Third Year of the Reign of King *George* the Fourth, and subject to the Powers by the said Act given to them as such Commissioners for the Purpose of paving, lighting, watering, cleansing, gravelling, and otherwise improving the Foot, Carriage, and other public Ways which shall be made and formed upon the said Lands, or upon any Part thereof, and for the Purpose of rating and assessing any Houses or Buildings, Yards, Gardens, or such other Places as are now by the said Act of Third of *George* the Fourth liable to be rated and assessed: Provided always, that when and so soon as the Rates received by the said Commissioners in any One Year for or in respect of any Houses, Buildings, Yards, Gardens, or other Places liable to Assessment as aforesaid, which shall be erected, built, or formed upon any Part of the said Lands fronting upon *Pratt Street* or *Bayham Street* shall amount to Thirty Pounds or more, the before-mentioned yearly Sum of Thirty Pounds payable by the Senior Churchwarden of *Saint Martin in the Fields* shall forthwith cease and determine: Provided also, that whenever the Rates to be received in any One Year for or in respect of the last-mentioned Houses, Buildings, Yards, Gardens, or other Places shall amount to Fifteen Pounds *per Annum* or more, the same shall be taken in lieu and satisfaction of an equal Amount of the said yearly Sum of Thirty Pounds, and the said Sum of Thirty Pounds shall thenceforward be reduced from Year to Year by the Payment of any larger Sum than Fifteen Pounds in any One Year on account of such Rates until the said Rates shall equal the said Sum of Thirty Pounds or more, when the said Payment to the Commissioners by the Senior Churchwarden of the Parish of *Saint Martin in the Fields* shall cease.

XXI. All Buildings to be hereafter erected on the said Lands comprised in the said Schedules hereto under this Act shall be of a Character of not less than Third Class Houses, as defined by the Metropolitan Buildings Act passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Construction and the Use of Buildings in the Metropolis and its Neighbourhood*; and the Lands from Time to Time leased, sold, or built upon, under the Powers of this Act, shall be and become liable to all Parliamentary, Parochial, and Local Taxes, Rates, and Assessments, in like Manner as other Tenements are which are situate within the Limits of the Jurisdiction of the said *Camden Town Commissioners* and the Parish of *Saint Pancras*.

Houses not to be of less than of the Third Class, and Lands, &c., to become liable to Parochial and other Rates.

XXII. All

*The Camden Town Cemetery Act, 1854.*

Rents &c. of  
the Lands  
leased to be  
applied as  
herein men-  
tioned.

XXII. All and singular the Rents, Issues, and Profits to arise from the Lands and Premises hereby authorized to be leased, or which shall be otherwise payable to the Trustees of this Act, shall be applied as follows; (that is to say),

Firstly, in the keeping in proper Order the said Burial Ground or so much thereof as is not hereby authorized to be leased, and in the Erection and keeping in Order and Repair proper Boundary Walls for the Protection thereof, and, if thought necessary, a Lodge or Cottage for the Residence of a Sexton or other proper Person to be appointed by the Trustees of this Act, if they shall think fit, to watch and take care of the said Ground and Premises:

Secondly, in the Payment and Satisfaction of all Costs, Charges, and Expenses which shall from Time to Time be paid, incurred, or sustained by the Trustees or any of them in relation to the Exercise of any of the Duties or Powers imposed or conferred on them by this Act, or in anywise relating thereto:

Thirdly, in the Payment and Satisfaction of the Compensations, Rent charges, or annual Sums by the said Act of the Forty-fourth Year of the Reign of King *George* the Third directed to be paid by the Senior Churchwarden of the said Parish of *Saint Martin in the Fields* to the said *John Jeffreys* Earl *Camden*, and the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Piece of Ground comprised in that Act if the Act had not been made, and to the Appropriator for the Time being of the Great Tithes of the said Piece of Ground, and to the Vicar of the said Parish of *Saint Pancras* and to the Senior Churchwarden of the same Parish, and in the Payment and Satisfaction of so much of the said yearly Sum of Thirty Pounds by the said Act of the Third Year of the Reign of King *George* the Fourth made payable by the Senior Churchwardens of the Parish of *St. Martin in the Fields* to the Commissioners under the same Act as shall for the Time being be payable; provided nevertheless that as soon as any of the Land hereby authorized to be leased shall be let at a Rent, or shall otherwise become liable to the Payment of Taxes, Rates, and Assessments for the Benefit of the said Parish of *Saint Pancras*, the said Rentcharge or annual Sum by the last-mentioned Act made payable to the Senior Churchwarden of the said Parish of *Saint Pancras* shall cease and determine, and be no longer payable:

Fourthly, in the Payment of Interest on any Sum or Sums which shall be raised and due on Mortgage by virtue of the Power herein-after contained:

Fifthly, in the Payment half-yearly on the First Day of *January* and the First Day of *July* in every Year to the Vicar for the Time being of the Parish of *Saint Martin in the Fields* of so much  
Money



*The Camden Town Cemetery Act, 1854.*

Money by way of Annuity as, with the Amount of Fees received by him as such Vicar in respect of Burials during the preceding Half Year, will make to him yearly an Income of Three hundred and twenty-one Pounds and Twelve Shillings, which Sum of Three hundred and twenty-one Pounds and Twelve Shillings is equal to the yearly Average of such Burial Fees received by him during the Five Years preceding the First Day of *January* One thousand eight hundred and fifty-four; provided nevertheless, that in every Year in which the Rents to be derived from the said Premises shall be insufficient to make up such yearly Sum, the Payment to the Vicar shall abate accordingly, and heial I have no Claim on the Rents to arise in any succeeding Year or Years to make up the Deficiency :

Sixthly, in the Payment to the Reverend *William Peile Babington*, the present Chaplain of the *Camden Town Cemetery*, his Executors, Administrators, or Assigns, of the respective Sums of Sixty Pounds *per Annum* and Forty Pounds *per Annum*, and proportionate Parts of such Sums respectively, up to the First Day of *May* One thousand eight hundred and fifty-six, the said Sum of Sixty Pounds *per Annum* to commence from the Day up to which the Salary of the said *William Peile Babington*, as Chaplain to the Cemetery under the said recited Act of the Forty-fourth Year of the Reign of King *George* the Third, shall cease to be paid; and the said Sum of Forty Pounds *per Annum* to commence from the Day when the said *William Peile Babington* shall have given up Possession of the House adjoining or near to the said Cemetery which he now occupies or lately occupied as Chaplain to the said Cemetery, such respective Sums to be payable quarterly on the Twenty-fifth Day of *March*, the Twenty-fourth Day of *June*, the Twenty-ninth Day of *September*, and the Twenty-fifth Day of *December*, together with proportionate Parts thereof from the Times when such respective Payments shall commence; and up to the First Day of *May* One thousand eight hundred and fifty-six, respectively, when the same shall cease and determine; and the said Trustees shall be bound to pay the said respective Sums to the said *William Peile Babington*, notwithstanding that the Monies to arise from the Sale of the said Materials, and the Rents to be derived from the said Premises, may be insufficient to pay the same, and the other Payments firstly, secondly, thirdly, fourthly, and fifthly herein-before directed to be paid; and the Provisions of the said recited Act of the Forty-fourth Year of the Reign of King *George* the Third, with respect to the Mode of making up any Deficiency in the Fees and other Sums of Money thereby authorized to be received by the Churchwardens for the Time being of the Parish of *Saint Martin in the Fields* to answer the several Payments thereout authorized to be made by them under the said last-mentioned Act, shall apply to any Deficiency

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*The Camden Town Cemetery Act, 1854.*

which may happen in the Amount of the Monies to arise from the Sale of the said Materials and the Rents to be derived from the said Premises to make the aforesaid Payments by this Act directed to be made to the said *William Peile Babington*, as fully and effectually as if such Deficiency had happened in the Amount of Fees and other Sums of Money authorized to be received under the said Act of the Forty-fourth Year of the Reign of King *George* the Third, and the Payments to the said *William Peile Babington* by this Act directed to be made had been Payments in respect of Salary to a Clergyman appointed under the said last-mentioned Act to officiate in the Chapel and Burial Ground thereby authorized to be erected and established, and as fully and effectually as if no Portion of the said last-recited Act had been repealed :

And lastly, the Residue, if any, of the said Rents and Profits shall from Time to Time be applied either towards Satisfaction of the Principal Monies for the Time being borrowed under the Authority of this Act, or for such Purposes as the Residue of the Fees to be received by the Churchwardens of the said Parish of *Saint Martin in the Fields* on account of Burials in the said Burial Ground is by the said Act of the Forty-fourth Year of the Reign of King *George* the Third directed to be applied after the Satisfaction of the several specific Payments by the same Act directed to be made out of the same Fees, or in Payment of such Compensation or Salary to the present or future Parish Clerk and Sexton respectively, such Salary or Compensation as may be from Time to Time awarded by the Parish for such Purpose, or for such other Purposes for the Benefit of the said Parish of *Saint Martin in the Fields* as the Vestry of the same Parish, with the Consent of the Vicar and Churchwardens for the Time being, shall from Time to Time order or determine.

This Act not to affect the Provisions of the 44 G. 3. c. lxxxv. for supplying Deficiency of Burial Fees for the Purposes of that Act.

XXIII. Provided always, That nothing in this Act contained shall in anywise prejudice or affect the Provisions contained in the said Act of the Forty-fourth Year of the Reign of King *George* the Third, for the making Payment of any Deficiency, in case the Fees and other Sums which the Churchwardens of the same Parish should receive on account of Burials within the said Burial Ground should prove insufficient to answer the several Purposes in the same Act mentioned, and for the making and recovering of any Rates or Assessments which shall be made for the Repair of the Church, Churchyard, and Vestry Room of the same Parish.

Power to Trustees of this Act to purchase, and to the Trustees of

XXIV. It shall be lawful for the Trustees for the Time being of this Act to purchase, and for the Trustees for the Time being of the said Almshouses, acting in execution of the said recited Act of the Fifty-eighth Year of the Reign of King *George* the Third, either with the  
Sanction

*The Camden Town Cemetery Act, 1854.*

Sanction of the Court of Chancery, or by the Authority of the "Charity Commissioners for *England* and *Wales*," under the Charitable Trusts Act, 1853, to sell to the Trustees of this Act the said Piece or Parcel of Ground by the said Act of the Fifty-eighth Year of the Reign of King *George* the Third vested in the Trustees of the said Almshouses, and the Almshouses and other Erections thereon, or any Part or Parts thereof, and the Fee Simple and Inheritance or absolute Interest therein.

the Almshouses to sell the Almshouses.

XXV. When any Land or Hereditaments shall be purchased by the Trustees of this Act from the Trustees of the said Almshouses in pursuance of the Power aforesaid, it shall be lawful for the Trustees for the Time being of the said Almshouses and they are hereby directed to convey the same to the Vicar and Churchwardens of the said Parish of *Saint Martin in the Fields* and their Successors, and the same shall thereupon be vested in the same Vicar and Churchwardens and their Successors for ever, and they are hereby constituted a Body Corporate for the Purpose of holding the same, and shall hold the same in like Manner as if the same had remained vested in them under the said Act of the Forty-fourth Year of the Reign of King *George* the Third, upon and for the Trusts, Intents, and Purposes, and under and subject to the Powers and Provisions, by this Act created or declared of and concerning the said Pieces of Land respectively specified in the said Schedule marked (B.) to this Act.

Almshouse and Site thereof, if purchased, to be conveyed to Uses declared by this Act of the Lands authorized to be leased.

XXVI. The Monies to arise from any Sale or Sales by the Trustees of the said Almshouses to the Trustees of this Act under the Powers aforesaid shall be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* the Trustees of this Act, to an Account to be entitled "The Almshouses Account," pursuant to the Method prescribed by the Act of the Twelfth Year of the Reign of King *George* the First, Chapter Thirty-two, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of King *George* the Second, Chapter Twenty-four, and the Certificate or Certificates to be given by the said Accountant General, together with the Receipt and Receipts of the Cashier of the Bank of *England* to be thereto annexed, and therewith filed in the Register Office of the said Court of Chancery of the Payment into the Bank of *England* of such Monies shall from Time to Time and at all Times thereafter be deemed and taken to be a good and sufficient Discharge of the said Trustees of this Act; and the same Monies shall respectively be from Time to Time laid out by the said Accountant General in the Purchase of Bank Three Pounds *per Centum* Consolidated or Reduced Annuities or Government Securities, in the Name of the said Accountant General,

Money to arise from Sale of Almshouses to be paid into Court of Chancery;

to

*The Camden Town Cemetery Act, 1854.*

to be placed to his Account there, *ex parte* the Trustees of this Act, to the said Account to be entitled "The Almshouses Account," and to remain until the said Court of Chancery shall by some Order or Orders to be obtained on Summons or Petition in a summary way, by or on behalf of the Trustees of the said Almshouses, direct the same to be sold by the Accountant General for the Purpose of completing any Purchase or Purchases of Land to be made in pursuance of the Powers in this Act, and the Erection of Almshouses thereon; and the Interest, Dividends, and annual Proceeds of the said Bank Annuities or Government Securities so to be placed or acquired as aforesaid shall in the meantime be paid by the said Accountant General to the Trustees of the said Almshouses, in order to enable them the better to obtain temporary Accommodation for any of the Almswomen in the meantime, and until the new Almshouses shall be built, and the same Interest, Dividends, and annual Produce shall be applied by the same Trustees accordingly.

And to be invested in the Purchase of Site and the Erection of New Almshouses.

XXVII. The Money to arise from any Sale or Sales by the said Trustees of the said Almshouses to the Trustees of this Act under the Power aforesaid, and the Funds in which the same shall be invested in pursuance of the Direction aforesaid, shall be laid out as speedily as can be under the Direction of the Court of Chancery, to be obtained in a summary Way on the Petition of the Trustees of the said Almshouses, in the Purchase of Land which shall be deemed fit and advantageous for the Erection of Almshouses in the Stead of the said present Almshouses, and in the Erection of such proper Almshouses on such Land as the said Court of Chancery shall deem proper; and the Land so to be purchased, and the Almshouses and Buildings thereon, shall be held by the Trustees from Time to Time to be appointed in pursuance of the said Act of the Fifty-eighth Year of the Reign of King *George* the Third, upon and for the Trusts and Purposes and subject to the Powers by the same Act expressly or by reference declared or created of and concerning the Land by the same Act vested in the same Trustees and the Almshouses erected thereon; but the said Almshouses, if purchased under the Powers of this Act, shall not be pulled down, or the Inmates thereof removed, until proper Almshouses shall be built on the Land so to be purchased and vested in the Trustees of the said Act of the Fifty-eighth Year of the Reign of King *George* the Third, or other proper temporary Accommodation to the Satisfaction of the Court of Chancery shall be provided for such Inmates until such new Almshouses are erected.

Power to purchase the Rentcharges or Annuities

XXVIII. The Trustees of this Act shall have Power to purchase the said Rentcharges or yearly Sums by the said Act of the Forty-fourth Year of the Reign of King *George* the Third made payable by the Senior Churchwarden of the said Parish of *Saint Martin in the Fields* to the  
said

*The Camden Town Cemetery Act, 1854.*

said Earl *Camden* and the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Burial Ground and Land comprised in that Act, if that Act had not been made, and to the Appropriation for the Time being of the Great Tithes of the same Land, and to the said Vicar of the said Parish of *Saint Pancras*, or any of them, and to make such Purchase or Purchases according to the Provisions of the "Lands Clauses Consolidation Act, 1845;" and for the Purpose of enabling the Trustees of this Act to make such last-mentioned Purchase or Purchases, all the Clauses and Provisions of the last-mentioned Act "with respect to the Purchase of Lands by Agreement," and "with respect to the Purchase Money or Compensation coming to Parties having limited Interests, or prevented from treating, or not making Title," shall be incorporated in this Act; and the Expression "the Special Act" used in the said Lands Clauses Consolidation Act shall be construed to mean this Act; and the Expression "the Promoters of the Undertaking" shall be construed to mean the Trustees of this Act, in like Manner to all Intents and Purposes as if the said Rentcharges or annual Sums hereby authorized to be purchased were Lands or Interest in Lands authorized to be taken or purchased by the Promoters of the Undertaking.

payable in respect of the Cemetery.

Certain Clauses of 8 & 9 Vict. c. 18. for effecting the last-mentioned Purchases incorporated.

XXIX. The said Rentcharges or annual Sums hereby authorized to be purchased, or any Part or Parts thereof, shall, when purchased by the Trustees of this Act, and assigned or surrendered to them, absolutely and for ever cease and determine.

Rentcharges or Annuities when purchased to cease, &c.

XXX. It shall be lawful for the Trustees for the Time being of this Act, with the Sanction of the Court of Chancery for the Purpose of enabling them to purchase the said Land and Almshouses, and Rent charges or annual Sums hereby authorized to be purchased by them, or for raising Money to pay off any Mortgage or Mortgages to be made under this Act, or for defraying any Expenses incurred or to be incurred by them in the Execution of this Act, from Time to Time to borrow and take up at Interest any Sum or Sums of Money which shall be necessary for paying and defraying the Purchase Money of the Lands and Premises so to be purchased, and the Costs and Expenses of and incidental to such Purchase or Purchases, together with the Costs and Expenses of and incidental to the raising of such Sum or Sums of Money, and all or any other of the Expenses authorized to be defrayed out of such Monies by this Act; and for the Purpose of securing the Payment of any Sum or Sums so borrowed, together with lawful Interest for the same, to mortgage all or any of the said Lands and Hereditaments comprised in the said Schedule to this Act marked (B.), and in case the said Land and Almshouses specified or comprised in the said Schedule marked (A.) to this Act, or any Part thereof, shall

Power to borrow Money on Mortgage for Purposes of this Act.

*The Camden Town Cemetery Act, 1854.*

have been purchased under the Power aforesaid, then also all or any Part of the same so purchased, and to make or cause to be made any such Mortgage, by Demise for a Term or Terms of Years, or in Fee, as to the Trustees of this Act may seem expedient, for effectually charging the Sum or Sums of Money so to be raised on the Inheritance of the Hereditaments comprised in such Mortgage or Mortgages, and all and every the Sums or Sum of Money so to be raised on such Mortgage or Mortgages, and the Interest thereof, shall be paid to the Person or Persons, Body or Bodies Politic or Corporate, advancing or lending the same, at the Times and in manner herein-after mentioned; (that is to say,) the Interest thereof, or so much thereof as shall for the Time being remain unpaid, at such Rate as shall be stipulated for and agreed to be paid by equal half-yearly Payments on the Days to be in the Mortgage or Mortgages respectively appointed; and it shall be lawful for the Trustees making such Mortgage or Mortgages to make and enter into such Stipulations or Agreements for the Repayment of the Principal Sum or Sums secured by such Mortgage or respective Mortgages by Instalments or otherwise, and at such Day or Time, or Days or Times, and in such Manner as they shall think most beneficial.

Money raised on Mortgage to be paid into Court of Chancery;

XXXI. The Monies to be raised by any Mortgage or Mortgages under the Powers of this Act shall be paid by the Person or Persons respectively advancing the same on Mortgage into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there to an Account, *ex parte* the Trustees of this Act, to be entitled "The Mortgage Account," pursuant to the Method prescribed by the Act of the Twelfth Year of the Reign of King *George* the First, Chapter Thirty-two, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of King *George* the Second, Chapter Twenty-four; and the Certificate or Certificates to be given by the said Accountant General, together with the Receipt and Receipts of the Cashier of the Bank of *England* to be thereto annexed, and therewith filed in the Register Office of the said Court of Chancery, of the Payment into the Bank of *England* of such Monies, shall from Time to Time and at all Times thereafter be deemed and taken to be a good and sufficient Discharge for the same to such Person or Persons paying the same, their Heirs, Executors, Administrators, or Assigns.

and to be invested in Exchequer Bills till wanted for Purposes of this Act.

XXXII. As respects any Monies which may be raised by Mortgage under the Powers of this Act, and which shall remain after the Payment thereof of the Costs and Expenses herein-after mentioned, the same Monies, until required for the Purposes for which the same shall have been raised, shall be laid out on the Application of the Trustees of this Act in the Purchase of Exchequer Bills, and the Interest

*The Camden Town Cemetery Act, 1854.*

Interest arising from the Money so laid out in Exchequer Bills, and the Monies received for the same as they shall be respectively paid off by Government, shall again be laid out in the Purchase of other Exchequer Bills, provided that it shall and may be lawful for the said Court of Chancery to make such General or Special Order or Orders as may be necessary or proper that whenever Exchequer Bills of the Date of those in the Hands of the said Accountant General shall be in the Course of Payment by Government, and new Exchequer Bills shall be issued, such new Exchequer Bills may be received in exchange for those which are in the Course of Payment, as shall be effectual for enabling such Receipt in exchange, and in that event the Interest of the old Bills shall be laid out as before directed with respect to the Interest when the Bills are paid off, all which Exchequer Bills shall from Time to Time be deposited in the Bank in the Name of the said Accountant General, and shall there remain until the same shall, upon a Petition to be preferred to the said Court of Chancery in a summary Way by the Trustees of this Act, be ordered to be sold by the Accountant General for effecting the Purposes of this Act.

XXXIII. The Money to be raised by Mortgage under the Power aforesaid, and to arise from the Sale of the Exchequer Bills in which the same shall be invested, and from the Interest thereof, shall be applied, under the Direction of the Court of Chancery, to be obtained on Petition in a summary Way by the Trustees of this Act, in the first place in paying and discharging the Costs, Charges, and Expenses of preparing, obtaining, and passing this Act, and in paying and satisfying all Costs, Charges, and Expenses to be incurred or sustained by the Trustees of this Act in the raising and Application of the Money to be raised by Mortgage, or in anywise in relation thereto, and all such other Costs and Expenses incidental to the Purposes of this Act as the said Court of Chancery shall think it necessary or proper to pay or discharge out of such Monies; and next, in the Payment and Satisfaction of the Purchase Money to be paid into the Name of the Accountant General as aforesaid, for the Purchase of the said Land and Almshouses herein-before authorized to be purchased from the Trustees of the said Almshouses, and the Payment and Satisfaction of the Purchase Money to be paid for the said Rent-charges or annual Sums herein-before authorized to be purchased, or any of them, or any Part thereof, and in the Payment and Satisfaction of any Mortgage or Mortgages which may be made in pursuance of the Powers of this Act; and the Residue, if any, shall be paid and applied in like Manner as is herein-after directed with respect to the ultimate Residue of any Moneys to arise from the Power of Sale herein-after contained.

Money to be raised by Mortgage to be applied under Direction of Court of Chancery in payment of Costs and Purchase Money, to effect Purchases authorized by this Act, and in payment of previous Mortgages when necessary.

XXXIV. It

*The Camden Town Cemetery Act, 1854.*

Power to  
sell Lands.

XXXIV. It shall and may be lawful for the Trustees for the Time being of this Act from Time to Time, with the Sanction of the Court of Chancery, to be obtained on Petition of the same Trustees in a summary Way, absolutely to sell all or any Part or Parts of the said Land specified or comprised in the said Schedule to this Act marked (B.), and of the Lands comprised in the said Schedule to this Act marked (A.), which may from Time to Time be purchased in pursuance of the Powers of this Act, and the Fee Simple and Inheritance or absolute Interest therein, and either subject to any Lease or Leases made in pursuance of the Powers herein-before contained, or previous to any such Lease or Leases being made, and either by Public Auction or Private Contract, to any Person or Persons who shall be willing to become the Purchaser or Purchasers of the same, for the best Price or Prices that can be reasonably had or gotten for the same, with full Power to buy in the same, or any of them, at any such Public Auction or Auctions, or to rescind any Contract or Contracts for Sale thereof, and to resell from Time to Time without being liable to answer for any Loss or Diminution in Price, and upon any such Sale or Sales, with such Sanction as aforesaid, to make sale and sell under such special Conditions of Sale, and such Stipulations relative to Title and the Evidences of Title, and generally in all respects to manage and conduct any Sale or Sales in such Manner as to the same Trustees shall seem advisable, and for the Purpose of effecting such Sale or Sales to enter into, make, and execute all such Contracts, Agreements, Acts, Deeds, Conveyances, and Assurances, as they the said Trustees for the Time being of this Act shall think proper.

Money to  
arise from  
Sales by  
Trustees of  
this Act, to  
be paid into  
Court of  
Chancery.

Accountant  
General's  
Certificates  
to discharge  
Purchasers.

XXXV. That all and every Sum or Sums of Money to arise from any Sale or Sales to be made of any Land or Hereditaments in pursuance of the Power aforesaid by the Trustees of this Act shall be paid by the Purchaser or respective Purchasers into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there, *ex parte* the Trustees of this Act, to an Account to be entitled "The Sale Account," pursuant to the Method prescribed by the Act of the Twelfth Year of the Reign of King *George* the First, Chapter Thirty-two, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of King *George* the Second, Chapter Twenty-four; and the Certificate or Certificates to be given by the said Accountant General, together with the Receipt or Receipts of One of the Cashiers of the Bank of *England* to be thereto annexed, and therewith filed in the Register Office of the said Court of Chancery, of the Payment into the Bank of *England* of such Monies by the Purchaser or respective Purchasers, shall be a good and sufficient Discharge or Discharges to such Purchaser or Purchasers, and his, her, or their  
Heirs,



*The Camden Town Cemetery Act, 1854.*

Heirs, Executors, Administrators, or Assigns, for the Purchase Money to be paid by him, her, or them; and after filing such Certificate or Receipt as aforesaid, such Purchaser or Purchasers, and his, her, or their Heirs, Executors, Administrators, and Assigns, shall be absolutely acquitted and discharged of and from his, her, or their Purchase Money, and shall not be answerable or accountable for any Loss, Misapplication, or Nonapplication thereof, or of any Part thereof; and the same Monies shall respectively be from Time to Time laid out by the said Accountant General in the Purchase of Bank Three Pounds *per Centum* Consolidated or Reduced Annuities or Government Securities, in the Name of the said Accountant General, to be placed to his Account there, *ex parte* the Trustees of this Act, to the said Account to be entitled "The Sale Account," and to remain until the said Court of Chancery shall, by some Order or Orders to be obtained on Summons or Petition in a summary Way by or on behalf of the Trustees of this Act, direct the same to be sold by the Accountant General for the Purposes of this Act, and the Interest, Dividends, and annual Proceeds of the said Bank Annuities; or Government Securities so to be purchased or acquired as last aforesaid shall in the meantime be paid by the said Accountant General to the Trustees of this Act, to be applied by them for such Purposes and in such Manner as are herein-before provided or directed concerning the Rents, Issues, and Profits to arise from the Lands and Premises herein-before authorized to be leased.

Investment  
of Moneys.

XXXVI. The Money to arise and be produced from any Sale or Sales of any Land or Hereditaments in pursuance of the Power aforesaid by the Trustees of this Act, and from the Sale of the Investments made thereof in the Name of the said Accountant General as aforesaid, shall be applied by the Trustees of this Act, under the Direction of the Court of Chancery to be obtained on the Petition of the Trustees in a summary Way, in the first place, in the Payment and Satisfaction of all Costs, Charges, and Expenses attending any such Sale or Sales, and the Application or Disposition of the Purchase Money under this Act, or in anywise relating thereto; and in the next place, in or towards Payment and Satisfaction of the Money due on any Mortgage or Mortgages which may have been made in pursuance of the Powers of this Act; and in the next place, in the Payment and Satisfaction of the Purchase Money, if any, agreed to be paid, and for the Time being unpaid for the Purchase of the said Land and Hereditaments, and the said Rentcharges and annual Sums herein-before authorized to be purchased by the Trustees of this Act, or any of the same Land and Hereditaments, Rentcharges, or annual Sums, or any Part or Parts thereof; and the Residue, if any, shall be laid out by the Trustees of this Act, with the Direction of the Court of Chancery to be obtained as last aforesaid, either in or towards the Purchase of new

Application  
of Moneys  
to arise from  
Sales by the  
Trustees.

*The Camden Town Cemetery Act, 1854.*

Burial Ground for the said Parish of *Saint Martin in the Fields*, or for such other Purposes for the Benefit of the same Parish and the Inhabitants thereof, as shall be sanctioned or directed by the said Court of Chancery, or in the Purchase of Lands and Hereditaments for an Estate of Freehold in Fee Simple, to be situate in *England* or *Wales*, and to be conveyed to the said Vicar and Churchwardens and their Successors, as such Body Corporate as aforesaid, and to be settled under the Direction of the said Court either upon and for the Trusts and Purposes and with and subject to the Powers by this Act declared or created of and concerning the said Lands and Hereditaments specified or comprised in the said Schedule marked (B.) to this Act, or upon and for such other Trusts, Intents, and Purposes, and with such other Powers for the Benefit of the said Parish of *Saint Martin in the Fields* and of the Inhabitants thereof, as shall be sanctioned or approved of by the said Court of Chancery; or the said last-mentioned residuary Money shall be laid out partly in one of such Modes, and partly in the other or others: Provided always, that in authorizing the laying out of the said last-mentioned residuary Money the said Court shall have regard as far as may be to the securing the Payment to the Vicar for the Time being of the said Parish of *Saint Martin in the Fields* of the Stipend or Payment herein-before directed to be paid to him out of the Rents and Profits of the Lands by this Act authorized to be leased, and to the securing the Payment of the said Rentcharges or annual Sums payable as aforesaid under the said Act of the Forty-fourth Year of the Reign of King *George* the Third, or such of the same annual Rentcharges or annual Sums as shall not have been purchased and extinguished.

Costs to be  
taxed and  
Provision for  
Payment  
of Moneys  
arising under  
the Act.

XXXVII. It shall be lawful for the said Court of Chancery from Time to Time to make such Orders as the said Court shall think fit, expedient, and reasonable for allowing, taxing, and settling the Costs, Charges, and Expenses of and incident to the making and passing of this Act, and all such Costs, Charges, and Expenses as have been or shall be incurred in making the several Applications to the said Court in pursuance of this Act, and in making and completing any Leases, Contracts, Sales or Purchases, and Mortgages hereby authorized to be made, and all other the Costs, Charges, and Expenses by this Act directed to be paid; and also from Time to Time to make Orders for the Payment of all such Costs, Charges, and Expenses as aforesaid out of the Monies which shall arise from the Rents, Issues, and Profits of the Lands and Premises herein-before authorized to be leased, or from any Sale or Sales, Mortgage or Mortgages of any of the said Lands and Hereditaments hereby authorized to be sold and mortgaged, and which shall be so paid into the Bank of *England* as aforesaid, or out of the Monies arising by the Sale of the said Exchequer Bills so to be purchased as aforesaid; and it shall be lawful for  
the

*The Camden Town Cemetery Act, 1854.*

the said Court of Chancery from Time to Time to make such other Order or Orders as the said Court shall think fit.

XXXVIII. That the Costs, Charges, and Expenses of preparing, obtaining, and passing this Act, when taxed and ascertained, shall be paid in the first instance, and immediately after the same shall be taxed and ascertained, by the Overseers for the Time being of the said Parish of *Saint Martin in the Fields*, out of the Monies raised for the Relief of the Poor of the same Parish, and shall be allowed to them in passing their Accounts; and the same Monies shall be repaid to the Overseers for the Time being of the same Parish, and applied by them to the Purposes and in aid of the Poores Rate of the same Parish out of the first Rents or other Monies which shall arise or become payable under the Powers of leasing, mortgaging, or selling under this Act.

Costs of obtaining the Act to be paid in the first instance out of Poores Rate, and to be repaid out of first Moneys arising under the Act.

XXXIX. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every Person and Persons, Bodies Politic and Corporate, his and their Heirs, Executors, Administrators, and Successors, (other than and except the Trustees appointed for the several Purposes of the said recited Act of the Forty-fourth Year of the Reign of King *George* the Third, and their Successors, the Parishioners of the said Parish of *Saint Martin in the Fields*, and the Trustees of the Almshouses, their Heirs, Executors, Administrators, and Successors respectively,) all such Estate, Right, Title, Interest, Property, Claim, and Demand whatsoever, either at Law or in Equity, of, in, to, or out of the Lands and Premises hereby authorized to be leased, sold, mortgaged, or otherwise affected by this Act, or any Part or Parcel thereof, as they or any or either of them had or might or ought to have had previous to the passing of this Act.

General Saving of Rights.

XL. And, lastly, in citing this Act for any Purpose, it shall be sufficient to use the Expression "The *Camden Town Cemetery Act, 1854.*"

Short Title.

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*The Camden Town Cemetery Act, 1854.*


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SCHEDULES referred to by the foregoing Act.

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SCHEDULE (A.)

CONTAINING

A Particular of Ground which has been appropriated and used for Almshouses, under the Authority of the recited Act of Parliament of the Fifty-eighth Year of the Reign of King George the Third.

A Piece of Land situate on the East Side of Bayham Street, and ranging along Bayham Street, and containing in Length in the Front, next Bayham Street, and also at the Rear thereof, from North to South, Two hundred and eighty Feet or thereabouts, and in Depth from East to West Fifty-seven Feet Five Inches or thereabouts, and the Almshouses which have been erected thereon.

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SCHEDULE (B.)

CONTAINING

The Particulars of the several Pieces of Ground forming Part of Camden Town Cemetery, not heretofore used for the Purposes of Interment.

First, a Piece of Ground abutting on Bayham Street, and situate at the North-west Corner of the Cemetery, and adjoining on the South to the Piece of Ground and Almshouses described in Schedule (A.), and containing from North to South, in Front next *Bayham Street*, and at the Rear, Forty-four Feet Four Inches or thereabouts, and in Depth from Bayham Street from West to East Sixty-three Feet or thereabouts.

Secondly, a Piece of Ground abutting on Bayham Street and Pratt Street, and being the Corner Piece at the Junction of the same Streets, and bounded on the West by Bayham Street, and the South by Pratt Street, on the East by Land herein-after described, and on the North by the Almshouses and the Land next herein-after described, and by

Part

*The Camden Town Cemetery Act, 1854.*

Part of the Cemetery, and extending from North to South, as well in Front next Bayham Street as at the Rear, Fifty-six Feet or thereabouts, and from East to West, as well in Front next Pratt Street as throughout to the Rear, Eighty-seven Feet or thereabouts.

Thirdly, a Piece of Ground lying at the Back of the said Almshouses, and ranging the whole Length thereof, and bounded on the North and East by Part of the Cemetery, and on the South by the Piece of Land lastly before described, and containing in Length from North to South Two hundred and ninety Feet or thereabouts, and in Depth from East to West from the said Almshouses and Ground described in the Schedule (A.) Twenty Feet or thereabouts.

Fourthly, a Piece of Land abutting on Pratt Street, and bounded on the South by Pratt Street, on the West partly by the Ground secondly before described, and on the other Part of the West and on the North by Part of the Cemetery, and on the East by Ground used for the Purposes of the Cemetery and by the Piece of Ground next herein-after described; and which Piece of Ground now being described contains in Depth from Pratt Street, from South to North, Two hundred and Twenty-four Feet or thereabouts, and in Breadth, from East to West next Pratt Street and at the Rear, Sixty Feet or thereabouts.

Fifthly, a Piece of Ground abutting upon Pratt Street, and upon a Part whereof Part of the Chapel and other Buildings adjoining thereto or in connection therewith, and the present Entrances to the Cemetery, are erected and made, bounded on the South by Pratt Street, on the East by other Land after described, on the North by the semicircular Piece of Land next herein-after described and by Parts of the Cemetery, and on the West by the Piece of Ground lastly herein-before described, on the West End of which Piece of Ground now being described is intended to be made a new Road of the Width of Thirty Feet from Pratt Street to the Cemetery; and which Piece of Ground now being described contains in Length next Pratt Street, and at the Rear from East to West, One hundred and forty-four Feet or thereabouts, and in Depth from Pratt Street from North to South Fifty Feet or thereabouts.

Sixthly, a Piece of Ground, forming a Segment of a Circle the Radius whereof is One hundred and twenty-nine Feet, and whereon a Part of the said Chapel and other Buildings adjoining thereto stand, situate on the North of the Piece of Ground lastly before described, and extending and abutting in a straight Line along the same One hundred and twenty-nine Feet or thereabouts, and extending therefrom Northerly at the greatest Extent Sixty-five Feet or thereabouts.

*The Camden Town Cemetery Act, 1854.*

Seventhly, a Piece of Ground abutting on Pratt Street and Camden Street, and being the Corner Piece at the Junction of the same Street, and bounded on the South by Pratt Street, on the East by Camden Street, on the North by the Piece of Land next herein-after described, and on the West partly by the Cemetery and partly by the Land fifthly herein-before described; and which Piece of Land now being described extends in Length from East to West next Pratt Street and at the Rear, One hundred and eighty-four Feet or thereabouts, and in Breadth from North to South next Camden Street and at the Rear Ninety-four Feet or thereabouts.

Eighthly, a Piece of Ground abutting on Camden Street, and bounded on the East by Camden Street, on the North partly by the Piece of Ground herein-after particularly described and partly by the Cemetery, on the West partly by the Cemetery and partly by the circular Piece of Ground herein-after mentioned, and on the South partly by the Cemetery and partly by the Piece of Ground lastly herein-before described; and which Piece of Ground now being described extends from North to South in Width next Camden Street, One hundred and seventeen Feet or thereabouts, and in Depth from East to West, from Camden Street at the South Boundary thereof and extending North Seventy-eight Feet or thereabouts, Two hundred and thirty-three Feet or thereabouts, and for the Residue of the Depth thereof Two hundred and eight Feet or thereabouts; together with a certain circular Piece of Ground situate at the North-west Corner of the said Piece of Ground now being described, containing from North to South Sixty-four Feet or thereabouts at the greatest Length thereof, and from East to West Sixty-nine Feet or thereabouts at the greatest Breadth thereof.

Ninthly, a Piece of Ground abutting on Camden Street, and bounded on the East by Camden Street, on the North partly by the Piece of Ground next herein-after described and partly by the Cemetery, on the West by the Cemetery, and on the South by the Piece of Ground lastly herein-before described; and which Piece of Ground now being described extends in Front from North to South next Camden Street and at the Rear, One hundred and four Feet or thereabouts, and in Depth from East to West from Camden Street One hundred Feet or thereabouts.

Tenthly, a Piece of Ground being the North-east Corner of the Cemetery, and abutting on Camden Street, and bounded on the East by Camden Street, on the North by Houses and Premises in Camden Street, on the West by Part of the Cemetery, and on the South by the Piece of Ground lastly herein-before described; and which Piece of Ground

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*The Camden Town Cemetery Act, 1854.*

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Ground now being described contains in Front from North to South next Camden Street and at the Rear, Sixty Feet or thereabouts, and in Depth from Camden Street from East to West Seventy-six Feet or thereabouts.

All which said several Pieces of Ground herein-before described are at present staked out.

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