



ANNO QUARTO & QUINTO

VICTORIÆ REGINÆ.

Cap. lxxiii.

An Act to establish a General Cemetery for the Interment of the Dead in the Parishes of *Saint Dunstan Stepney* and *Saint Leonard Bromley* in the County of *Middlesex*. [21st June 1841.]

WHEREAS it would be of great public Advantage if a General Cemetery for the Interment of the Dead were established in an open Situation in the Parishes of *Saint Dunstan Stebonheath* otherwise *Stepney* and *Saint Leonard Bromley* in the County of *Middlesex*: And whereas the several Persons herein-after named, together with others, are willing and desirous, at their own Expence, to establish such Cemetery; but the same cannot be effected without the 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, That *William Green* Esquire, Deputy, *John George Ham-*
mack, *Thomas Johnson* Esquire, Alderman, Deputy, *John Pirie* Esquire, Alderman, *Joseph Bishop*, *Edward Smith*, *John Annis*, *William Wall*, *Charles Francis*, *John Murray*, and *Frederick Shore Nodin*, and all other Persons who have already subscribed or who shall hereafter

Names of
Proprietors.

[Local.]

14 Y

subscribe

Style of the
Company.

subscribe to the said Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for establishing and maintaining the Cemetery and other Works by this Act authorized to be made, and for that Purpose shall be One Body Corporate by the Name and Style of "The City of London and Tower Hamlets Cemetery Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and also shall have Power and Authority to their Successors to purchase and hold Lands and other Hereditaments to them and their Successors and Assigns, for the Use of the said Undertaking, without incurring any Penalties or Forfeitures, and shall have and exercise all other Powers and Authorities which are hereafter given or mentioned.

Proprietors
to raise
Money
amongst
themselves
for the Un-
dertaking, in
Shares of
10l. each.

II. And be it enacted, That it shall be lawful for the said Company to raise amongst themselves, for making and maintaining the said Cemetery and other Works by this Act authorized, any Sum or Sums of Money not exceeding in the whole the Sum of Twenty thousand Pounds, the whole to be divided into Two thousand Shares of Ten Pounds each; and such Two thousand Shares shall be numbered, beginning with the Number One, and ending with the Number Two thousand, in arithmetical Progression, and every such Share shall be distinguished by the Number to be applied to the same.

Shares to be
Personal
Estate.

III. And be it enacted, That all Shares in the said Undertaking shall be deemed Personal Estate and be transmissible as such, and shall not be of the Nature of Real Estate.

Shareholders.

IV. And be it enacted, That every Person who shall have subscribed or shall subscribe the Sum of Ten Pounds or upwards to the Capital of the Company shall be deemed a Shareholder of the Company, and shall be entitled to have One Share therein allotted to him in respect of every Sum of Ten Pounds so subscribed by him; and any Clerk or Ecclesiastical Person shall and may hold any such Share in like Manner as any other Person, without incurring any Penalty or Forfeiture, and the said Company shall not forfeit or in any way be deprived of any of its Privileges or Immunities by reason of any such Clerk or Ecclesiastical Person being such Shareholder.

Registry of
Shareholders.

V. And be it enacted, That the Secretary or Clerk of the said Company shall, in a Book to be provided by the said Company, to be called "The Register Book of Shareholders," or "Share Register," enter and keep a true Account of the Names and Additions of the several Proprietors of the said Undertaking, whether Corporations or Individuals, and of the several Persons who shall from Time to Time become Proprietors thereof, or be entitled to any Share therein, and the Number of Shares belonging to every such Proprietor, and the Number of each Share and of the Locality or Place of Abode of every such Proprietor; and such Book shall be authenticated by the Common Seal of the Company being affixed thereto, and such Authentication shall take place at the first ordinary Meeting or at some subsequent Meeting of the said Company;

Company; and every Proprietor of the said Undertaking, or, in case of a Corporation, by their Clerk or Agent, being duly appointed, may, at all convenient Times, have recourse to and peruse the same *gratis*, and may demand and have Copies thereof, or any Part thereof, paying at and after the Rate of Sixpence for every One hundred Words so to be copied.

VI. And be it enacted, That on Demand of the Holder of any Share or Shares the Clerk of the Company shall cause a Certificate of the Proprietorship of such Share or Shares to be delivered to such Shareholder; and such Certificate shall have the Common Seal of the Company affixed thereto; and such Certificate shall specify the Share or Shares in the Undertaking to which such Shareholder is entitled, and the same may be according to the Form in the Schedule (A.) to this Act annexed, or to the like Effect; and for such Certificate the Clerk of the Company may demand any Sum not exceeding Two Shillings and Sixpence.

Certificates
of Shares.

VII. And be it enacted, That such Certificate shall be admitted in all Courts as *primâ facie* Evidence of the Title of such Shareholder, his Executors, Administrators, Successors, or Assigns, to the Share therein specified; nevertheless the Want of such Certificate shall not prevent the Holder of any Share from disposing thereof.

Certificate to
be Evidence.

VIII. And be it enacted, That if any such Certificate be worn out or damaged, then, upon the same being produced at some Meeting of the Directors, such Directors may order the same to be cancelled, and thereupon another similar Certificate shall be given to the Party in whom the Property of such Certificate, and of the Share therein mentioned, shall be at the Time vested; or if such Certificate be lost or destroyed, then upon Proof thereof a similar Certificate shall be given to the Party entitled to the Certificate so lost or destroyed, and in either Case a due Entry of the substituted Certificate shall be made by the Clerk of the Company in the Register of Shareholders; and for every such Certificate so given or exchanged the Clerk of the Company may demand any Sum not exceeding Two Shillings and Sixpence.

Certificate to
be renewed
when lost or
destroyed.

IX. And with respect to the Transfer of Shares, be it enacted, That, subject to the Regulations herein contained, every Shareholder may sell and transfer his Shares in the said Company by Deed duly stamped, in which the Consideration shall be truly stated; and the Instrument of Transfer may be according to the Form in the Schedule (B.) to this Act annexed, or to the like Effect; and such Instrument (when duly executed) shall be delivered to the Clerk of the Company, and be kept by him, and he shall enter a Memorial thereof in a Book, to be called the "Register of Transfers," and shall endorse such Entry on the Instrument of Transfer; and for every such Entry and Endorsement the Clerk of the Company may demand any Sum not exceeding Two Shillings and Sixpence; and on the Request of the Purchaser of any Share an Endorsement of such Transfer shall be made on the Certificate of such Share, instead of a new Certificate being granted, and for such

Transfers of
Shares to be
registered,
&c.

Endorsement

Endorsement the Clerk of the Company may demand any Sum not exceeding Two Shillings and Sixpence; and such Endorsement being signed by him shall be considered in every respect the same as a new Certificate; and until such Transfer have been so delivered to the Clerk of the Company as aforesaid, the Purchaser of the Share shall not be entitled to receive any Share of the Profits of the said Undertaking, or to vote in respect of such Share.

Transfer not to be made until all Calls due are paid.

X. And be it enacted, That no Shareholder shall be entitled to transfer any Share until he shall have paid all Calls for the Time being due on every Share held by him, with all Interest that may be due thereon; nor shall any such Transfer at any Time be valid without an express Order, or some general Order of the Board of Directors to authorize the same.

Closing of Transfer Books.

XI. And be it enacted, That the Directors may close the Register of Transfers for a Period not exceeding Twenty-one Days previous to each ordinary Meeting, and may fix a Day for the closing of the same, of which Seven Days Notice shall be given by Advertisement in some Newspaper as after mentioned; and any Transfer made during the Time when the Transfer Books are so closed shall, as between the Company and the Party claiming under the same, but not otherwise, be considered as made subsequently to such ordinary Meeting.

Transmission of Shares by other Means than Transfer to be authenticated by a Declaration.

XII. And with respect to the Registration of Shares the Interest in which may have become transmitted in consequence of the Death or Bankruptcy or Insolvency of any Shareholder, or in consequence of the Marriage of a Female Shareholder, or by any other legal Means than by a Transfer according to the Provisions of this Act, be it enacted, That no Person claiming by virtue of any such Transmission shall be entitled to receive any Share of the Profits of the said Undertaking, nor to vote in respect of any such Share as the Holder thereof, until such Transmission have been authenticated by a Declaration in Writing as herein-after mentioned, or in such other Manner as the Directors shall require; and every such Declaration shall state the Manner in which and the Party to whom such Share shall have been so transmitted, and shall be made and signed by some credible Person before a Justice, or before a Master or Master Extraordinary in the High Court of Chancery; and such Declaration shall be left with the Secretary or Clerk, and thereupon he shall enter the Name of the Person entitled under such Transmission in the Register Book of Shareholders of the Company, and for every such Entry the Clerk of the Company may demand any Sum not exceeding Two Shillings and Sixpence.

Proof of Transmission by Marriage, Will, &c.

XIII. And be it enacted, That if such Transmission be by virtue of the Marriage of a Female Shareholder, the said Declaration shall contain a Copy of the Register of such Marriage, or other Particulars of the Celebration thereof, and shall declare the Identity of the Wife with the Holder of such Share; and if such Transmission have taken place by virtue of any testamentary Instrument, or by Intestacy, the Probate of the Will, or Letters of Administration, or an official Ex-tract

tract therefrom, shall, together with such Declaration, be produced to the Secretary or Clerk; and upon such Production, in either of the Cases aforesaid, the Secretary or Clerk shall make an Entry of the Declaration in the said Register of Transfers.

XIV. And be it enacted, That the recording of such Declaration shall not imply any Liability on the Part of the Company for the Regularity or Validity of the Transfer or Title therein set forth; and all Payments of Dividends or other Acts done by the Company, or by any of their Officers, without Notice of the Irregularity or Invalidity of any such Transfer, or Title, shall be effectual so far as the Company or such Officers are concerned, and shall exonerate them from all Claim on the Part of others alleging a preferable Right to such Shares or Dividends.

Recording Declaration not to infer Liability of Company.

XV. And be it enacted, That with respect to any Share to which several Persons may be jointly entitled, all Notices directed to be given to the Shareholders shall be given to such of the said Persons whose Name shall stand first in the Register of Shareholders, and Notice so given shall be sufficient Notice to all the Proprietors of such Share.

Notices to Joint Proprietors of Shares.

XVI. And be it enacted, That if any Money be payable to any Shareholder, being a Minor, Idiot, or Lunatic, the Receipt of the Guardian of such Minor, or the Receipt of the Committee of such Idiot or Lunatic, shall be a sufficient Discharge to the Company for the same.

Receipts for Money payable to Minors, &c.

XVII. And be it enacted, That the Company shall not be bound to see to the Execution of any Trust, whether express, implied, or constructive, to which any of the said Shares may be subject; and the Receipt of the Party in whose Name any such Share shall stand in the Books of the Company shall from Time to Time be a sufficient Discharge to the Company for any Dividend or other Sum of Money payable in respect of such Share, notwithstanding any Trusts to which such Share may then be subject, and whether or not the Company have had Notice of such Trusts; and the Company shall not be bound to see to the Application of the Money paid upon such Receipt.

Company not bound to regard Trusts.

XVIII. And for the Purpose of enforcing Payment of the Capital subscribed by the Shareholders, be it enacted, That from Time to Time the Company may make such Calls of Money upon the respective Shareholders, in respect of the Amount of Capital respectively subscribed or owing by them, as they shall think fit, provided that One Calendar Month's Notice at the least be given of each Call, and that no Call exceed the Amount of One Pound *per* Share, and that successive Calls be not made at less than the Interval of One Calendar Month; and every Shareholder shall be liable to pay the Amount of the Calls so made in respect of the Shares held by him to the Persons, and at the Times and Places, from Time to Time appointed by the Company.

Power to make Calls.

Interest on
Calls unpaid.

XIX. And be it enacted, That if before or on the Day appointed for Payment any Shareholder do not pay the Amount of any Call to which he may be liable, then such Shareholder shall be liable to pay Interest for the same, at the Rate of Five Pounds *per Centum per Annum*, from the Day appointed for the Payment thereof to the Time of actual Payment.

Payment of
Subscriptions
before Call.

XX. And be it enacted, That the Company may, if they think fit, receive from any of the Shareholders willing to advance the same all or any Part of the Monies due upon their respective Shares beyond the Sums actually called for; and upon the Principal Monies so paid in advance, or so much thereof as from Time to Time shall exceed the Amount of the Calls made upon the Shares in respect of which such Advance shall have been made, the Company may allow a Rebate or Discount at such Rate, not exceeding Five Pounds *per Centum*, as the Shareholder paying such Sum in advance and the Company shall agree upon.

Enforcement
of Calls by
Action.

XXI. And be it enacted, That if at the Time appointed by the Company for the Payment of any Call the Holder of any Share fail to pay the Amount of such Call, the Company may sue such Shareholder for the Amount thereof in any Court of Law or Equity having competent Jurisdiction, and may recover the same, with Interest, at the Rate of Five Pounds *per Centum per Annum*, from the Day on which such Call may have been payable.

Declaration
in Action
for Calls.

XXII. And be it enacted, That in any Action to be brought by the Company against any Shareholder, to recover any Money due for any Call, it shall not be necessary to set forth the special Matter, but it shall be sufficient for the Company to declare that the Defendant is a Holder of One Share or more in the Company (stating the Number of Shares) and is indebted to the Company in the Sum of Money to which the Calls in arrear shall amount, in respect of One Call or more upon One Share or more (stating the Number and Amount of each of such Calls) whereby an Action hath accrued to the Company by virtue of this Act.

Matter to be
proved in
Action for
Calls.

XXIII. And be it enacted, That on the Trial of such Action it shall be sufficient to prove that the Defendant at the Time of making such Call was a Holder of One Share or more in the Company, and that such Call was in fact made, and such Notice thereof given, as is directed by this Act; and it shall not be necessary to prove the Appointment of the Directors who made such Call, nor any other Matter whatsoever; and thereupon the Company shall be entitled to recover what shall be due upon such Call, with Interest thereon, unless it shall appear either that any such Call exceeds the Amount of One Pound *per Share*, or that due Notice of such Call was not given, or that the Interval of One Calendar Month between Two successive Calls had not elapsed.

Proof of Pro-
prietorship.

XXIV. And be it enacted, That the Production of the Register Book of Shareholders of the Company shall be *primâ facie* Evidence of

of such Defendant being a Shareholder, and of the Number and Amount of his Shares.

XXV. And be it enacted, That if the Holder of any Share fail to pay a Call payable by him in respect thereof, together with the Interest, if any, that shall have accrued thereon, the Directors, at any Time after the Expiration of Three Calendar Months from the Day appointed for Payment of such Call, may declare such Share forfeited, and that whether the Company have sued for the Amount of such Call or not.

Forfeiture of Shares for Nonpayment of Calls.

XXVI. And in order to prevent the Forfeiture of Shares through Inadvertency, be it enacted, That before declaring any Share forfeited the Directors shall cause Notice of such Intention to be left at or sent by Post to the usual or last Place of Abode of the Person appearing by the Register Book of Shareholders to be the Proprietor of such Share; and if the Holder of any such Share be abroad, or if the Interest in any such Share shall be known by the Directors to have become transmitted otherwise than by Transfer as herein-before mentioned, but a Declaration of such Transmission shall not have been registered as aforesaid, and so the Address of the Parties to whom the same may have been transmitted shall not be known to the Directors, the Directors shall give public Notice of such Intention in the *London Gazette*, and also in some Newspaper as after mentioned; and the several Notices aforesaid shall be given Twenty-one Days at least before the Directors shall make such Declaration of Forfeiture.

Notice of Forfeiture to be given before Declaration thereof.

XXVII. And be it enacted, That such Declaration of Forfeiture shall not take effect so as to authorize the Sale or other Disposition of any Share until such Declaration hath been confirmed at some General Meeting of the Company to be held after the Expiration of Two Months at the least from the Day on which such Notice of Intention to make such Declaration of Forfeiture shall have been given; and it shall be lawful for the Company to confirm such Forfeiture at any such Meeting, and by an Order at such Meeting, or at any subsequent General Meeting, to direct the Share so forfeited to be sold or otherwise disposed of, and after such Confirmation the Directors may sell the forfeited Share, either by public Auction or private Contract; and if there be more than One such forfeited Share, then either separately or together, as to them shall seem fit, and any Shareholder may purchase any forfeited Share so sold.

Forfeiture to be confirmed by a General Meeting.

Sale of forfeited Shares.

XXVIII. And be it enacted, That a Declaration in Writing by some credible Person not interested in the Matter, made before any Justice, or before any Master or Master Extraordinary in the High Court of Chancery, that the Call in respect of a Share was made, and Notice thereof given, and that Default in Payment of the Call was made, and that the Forfeiture of the Share was declared and confirmed in manner herein-before required, shall be sufficient Evidence of the Facts therein stated; and such Declaration, and the Receipt of the Treasurer of the Company for the Price of such Share, shall constitute a good Title to such Share, and thereupon such Purchaser shall be deemed

Evidence as to Forfeiture of Shares.

deemed the Holder of such Share, discharged from all Calls made prior to such Purchase; and a Certificate of Proprietorship shall be delivered to such Purchaser; and he shall not be bound to see to the Application of the Purchase Money, nor shall his Title to such Share be affected by any Irregularity in the Proceedings in reference to any such Sale.

Power to remit Forfeiture.

XXIX. And be it enacted, That, notwithstanding any thing to the contrary in this Act contained, it shall be lawful for an Extraordinary General Court, specially called for that Purpose, if it shall think fit, either to discharge any such Shares from Forfeiture, and to restore the same to the Proprietor or Holder thereof, with or without the Payment of a Fine to the Company, and generally on such Terms in all respects as such Court shall think proper.

Company empowered to buy up Shares.

XXX. And be it enacted, That the Board of Directors shall and may, if they think proper (but not otherwise), with and out of the Funds and Property of the Company, purchase, at such Price as they shall deem fair and reasonable, any Share or Shares which the Holder or Holders thereof shall be desirous to sell.

No more Shares to be sold than sufficient for Payment of Calls.

XXXI. And be it enacted, That the Company shall not sell or transfer more of the Shares of any such Defaulter than will be sufficient, as nearly as can be ascertained at the Time of such Sale, to pay the Arrears then due from such Defaulter on account of any Calls, together with Interest, and the Expences attending such Sale and Declaration of Forfeiture; and if the Money produced by the Sale of any such forfeited Share be more than sufficient to pay all Arrears of Calls and Interest thereon due at the Time of such Sale, and the Expences attending the Declaration of Forfeiture and Sale thereof, the Surplus shall, on Demand, be paid to the Defaulter.

On Payment of Calls forfeited Shares to revert.

XXXII. And be it enacted, That if Payment of such Arrears of Calls and Interest and Expences be made before any Share so forfeited and vested in the Company shall have been sold, such Share shall revert to the Party to whom the same belonged before such Forfeiture, in such Manner as if such Calls had been duly paid.

Extent of Liability of Shareholders.

XXXIII. And with respect to the Liability of the Shareholders to the Engagements of the Company, be it enacted, That no Shareholder of the Company shall be liable for or charged with the Payment of any Debt or Demand due from the Company beyond the Extent of his Share in the Capital of the Company not then paid up.

Execution against Shareholders to the Extent of Capital not paid up.

XXXIV. And be it enacted, That if any Execution, either at Law or in Equity, shall have been issued, taken out, or used against the Lands, Property, or Effects of the Company, and if there cannot be found sufficient whereon to levy such Execution, then such Execution may be issued against any of the Shareholders of the Company to the Extent of their Shares respectively in the Capital of the Company not then paid up: Provided always, that no such Execution shall issue against any Shareholder except upon an Order of the Court in which the Action, Suit, or other Proceedings shall have been

brought or instituted, made upon Motion in open Court, after giving Notice in Writing to the Persons sought to be charged, and upon such Motion such Court may order Execution to issue accordingly; and for the Purpose of ascertaining the Names of the Shareholders, and the Amount of Capital remaining to be paid upon their respective Shares, it shall be lawful for any Person entitled to any such Execution at all reasonable Times to inspect the Register Book of Shareholders without Fee.

XXXV. And be it enacted, That if by means of any such Execution any Shareholder shall have paid any Sum of Money beyond the Amount then due from him in respect of Calls, he shall forthwith be reimbursed such additional Sum by the Directors out of the Funds of the Company. Reimbursement.

XXXVI. And be it enacted, That after One Half of the original Capital of the Company shall have been paid up it shall be lawful for the Company to borrow, on Mortgage or Bond, such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of a General Meeting of the Company, not exceeding in the whole the Sum of Ten thousand Pounds, and for securing the Repayment of the Money so borrowed, with Interest, to mortgage the Property of the said Undertaking and the future Calls on the Shareholders of the Company, or give Bonds in manner herein-after mentioned. Power to borrow Money.

XXXVII. And be it enacted, That if, after having borrowed any Part of the Money so authorized to be borrowed on Mortgage or Bond, the Company pay off the same, it shall be lawful for them again to borrow the Amount so paid off, and so from Time to Time; but such Power of re-borrowing shall not be exercised without the Authority of a General Meeting of the Company, unless the Money be so re-borrowed in order to pay off any existing Mortgage or Bond. Re-borrowing.

XXXVIII. And be it enacted, That the Certificate of a Justice that One Half of the original Capital has been paid up, together with a Copy of the Order of a General Meeting of the Company authorizing the borrowing of any Money, certified by One of the Directors or by the Secretary to be a true Copy, shall be sufficient Evidence of the Fact of the Capital required to be paid up having been so paid up, and of the Order for borrowing Money having been made; and upon Production to any Justice of the Books of the Company, or of such other Evidence as he shall think sufficient, such Justice shall grant the Certificate aforesaid. Evidence of Authority for borrowing

XXXIX. And be it enacted, That every Mortgage and Bond for securing Money borrowed by the Company shall be by Deed under the Common Seal of the Company duly stamped, and wherein the Consideration shall be truly stated; and every such Mortgage Deed or Bond may be according to the Form in the Schedule (C.) or (D.) in this Act annexed, or to the like Effect. Mortgages and Bonds.

Rights of
Mortgagees.

XL. And be it enacted, That the respective Mortgagees shall be entitled, one with another, to their respective Proportions of the Sums, and Premises comprised in such Mortgage, and of the future Calls payable by the Shareholders of the Company, according to the respective Sums in such Mortgages mentioned to be advanced by such Mortgagees respectively, and to be repaid the Sums so advanced with Interest, without any Preference one above another, or above the Bond Creditors of the Company, by reason of Priority of the Date of any such Mortgage, or of the Meeting at which the same was authorized, or on any other Account whatsoever.

Application
of Calls not-
withstanding
Mortgage.

XLI. And be it enacted, That no such Mortgage (although it should comprise future Calls on the Shareholders) shall preclude the Company from receiving and applying to the Purposes of the Company any Calls to be made by the Company, so long as the Principal Money due on Mortgage does not exceed the Amount of all the Calls still remaining to be made.

Rights of
Obligees.

XLII. And be it enacted, That the respective Obligees in such Bonds shall proportionably, according to the Amount of the Monies secured thereby, be entitled to be paid out of the Property or Effects of the Company the respective Sums in such Bonds mentioned and thereby intended to be secured, without any Preference one above another, or above the Mortgagees of the Company, by reason of Priority of Date of any such Bond, or off the Meeting at which the same was authorized, or otherwise howsoever.

Register of
Mortgages
and Bonds.

XLIII. And be it enacted, That a Register of Mortgages and Bonds shall be kept by the Secretary or Clerk, and, within Fourteen Days after the Date of any such Mortgage or Bond, an Entry or Memorial, specifying the Number and Date of such Mortgage or Bond, and the Names of the Parties thereto, with their proper Additions, shall be made in such Register, and such Register may be perused at all reasonable Times by any of the Shareholders or by any Mortgagee or Bond Creditor of the Undertaking, or by any Person interested in any such Mortgage or Bond, without Fee or Reward.

Transfers of
Mortgages
and Bonds.

XLIV. And be it enacted, That from Time to Time any Party entitled to any such Mortgage or Bond may transfer his Right and Interest therein to any other Person, by Deed in Writing duly stamped, wherein the Consideration shall be truly stated; and every such Transfer may be according to the Form in the Schedule (E.) to this Act annexed, or to the like Effect.

Entry of
Transfers of
Mortgages
and Bonds.

XLV. And be it enacted, That within Thirty Days after the Date of every such Transfer if executed within the United Kingdom, or otherwise within Thirty Days after the Arrival thereof in the United Kingdom (the Time of such Arrival to be verified by a Declaration made by some respectable Person before any of Her Majesty's Justices of the Peace, or before any Master or Master Extraordinary of the High Court of Chancery, which Declaration shall be delivered to and left with the Secretary or Clerk of the said Company),

Company), it shall be produced to the Secretary or Clerk, and thereupon he shall cause an Entry or Memorial thereof to be made in the same Manner as in the Case of the original Mortgage, and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage or Bonds in all respects; and no Party having made such Transfer shall have Power to make void, release, or discharge the Mortgage or Bond so transferred, or any Money thereby secured; and for such Entry the Clerk of the Company may demand a Sum not exceeding the Amount of Two Shillings and Sixpence.

XLVI. And be it enacted, That the Interest of the Money borrowed upon any such Mortgage or Bond shall be payable and paid half-yearly to the several Parties entitled thereto, and in preference to any Dividends payable to the Shareholders of the Company.

Payment of Interest on Loans.

XLVII. And be it enacted, That the Interest on any such Mortgage or Bond shall not be transferrable, except by Deed duly stamped.

Transfers of Interest to be stamped.

XLVIII. And be it enacted, That the Company may, if they think proper, fix a Period for the Repayment of the Principal Money so borrowed, with the Interest thereof, and in such Case the Company shall cause such Period to be inserted in the Mortgage Deed or Bond, and upon the Expiration of such Period the Principal Sum, together with the Arrears of Interest thereon, shall be paid to the Party entitled to such Mortgage or Bond.

Repayment of Money borrowed at a Time fixed.

XLIX. And be it enacted, That if no Time be fixed in the Mortgage Deed or Bond for the Repayment of the Money so borrowed, the Party entitled to the Mortgage or Bond may, at the Expiration, or at any Time after the Expiration of Twelve Months from the Date of such Mortgage or Bond, demand Payment of the Principal Money thereby secured, with all Arrears of Interest, upon giving Six Months previous Notice for that Purpose, and the Company may at all Times pay off the Money borrowed, or any Part thereof, on giving the like Notice, and such Notice, if given by a Mortgagee or Bond Creditor, shall be by Writing delivered to the Secretary or Clerk, and if given by the Company, shall be by Writing given personally, or by leaving the same at the usual or last known Place of Abode of such Mortgagee or Bond Creditor, or if such Mortgagee or Bond Creditor be unknown, or cannot be found, such Notice shall be given by Advertisement in the *London Gazette*, and in some Newspaper, as after mentioned, and at the Expiration of the said Notice, when given by the Company, Interest shall cease to be payable on the Money secured by such Mortgage or Bond, unless on Demand of such Money the Company fail to pay the same pursuant to such Notice.

Repayment of Money borrowed where no Time fixed.

L. And in order to provide for the Recovery of the Arrears of Interest and Costs, or for the Principal and Interest and Costs of any such Mortgage or Bond, at the respective Times at which such Interest, or such Principal and Interest and Costs become due, be it

For enforcing Payment of Arrears of Interest.

it enacted, That if such Interest, or any Part thereof, shall, for Thirty Days next after the same shall have become due, and Demand thereof shall have been made in Writing, remain unpaid, the Mortgagee or Bond Creditor may either sue for the Interest so in arrear by Action of Debt in any of the Superior Courts, or he may require the Appointment of a Receiver, by an Application to be made as herein provided.

Principal
and Interest.

LI. And with respect to such Principal Money, Interest, and Costs, be it enacted, That if such Principal Money and Interest be not paid within Six Months after the same has become payable, and after Demand thereof in Writing, the Mortgagee or Bond Creditor may sue for the same in any of the Superior Courts of Law or Equity; or, if his Debt amount to the Sum of Five thousand Pounds, he may alone, or if his Debt does not amount to the Sum of Five thousand Pounds, he may in conjunction with other Mortgagees or Bond Creditors whose Debts, being so in arrear after Demand as aforesaid, shall together with his amount to the Sum of Five thousand Pounds, require the Appointment of a Receiver, by an Application to be made as herein provided.

Appointment
of Receiver.

LII. And be it enacted, That every such Application for a Receiver in the Cases aforesaid shall be made to Two or more Justices of the City of London or County of *Middlesex*, and on any such Application so made, and after hearing the Parties, it shall be lawful for such Justices, by Order in Writing, to appoint some Person to receive the Whole or a competent Part of the Sums liable to the Payment of such Interest or such Principal and Interest, as the Case may be, until such Interest, or until such Principal and Interest, as the Case be, together with all Costs, including the Charges of receiving the Sums aforesaid, be fully paid; and upon such Appointment being made all such Sums of Money as aforesaid shall be paid to and received by the Person so to be appointed; and the Money so to be received shall be so much Money received by or to the Use of the Party to whom such Interest, or such Principal and Interest, as the Case may be, shall be then due, and on whose Behalf such Receiver shall have been appointed; and after such Interest and Costs, or such Principal, Interest, and Costs, have been so received, the Powers of such Receiver shall cease.

Mortgagees
not to vote.

LIII. And be it enacted, That no Party shall in right of any Mortgage be deemed a Shareholder, or be capable of acting or voting as such at any Meeting of the Company.

Access to
Account
Books by
Mortgagees.

LIV. And be it enacted, That at all reasonable Times the Books of Account of the Company shall be open to the Inspection of the respective Mortgagees and Bond Creditors thereof, with Liberty to take Extracts therefrom, without Fee or Reward.

Power to
convert Loan
into Capital.

LV. And be it enacted, That it shall be lawful for the Company, if they think fit, to raise the additional Sum so authorized to be borrowed, or any Part thereof, by creating new Shares of the Company instead of borrowing the same, or having borrowed the same it

it shall be lawful for them to continue at Interest only a Part of such additional Sum, if they so think fit, and to raise the Remainder thereof, or any Part of the Remainder thereof, by creating new Shares of the Company; but no such Augmentation of Capital as aforesaid shall take place without the Authority of an Order of a General Meeting of the Company, called for the Purpose, previously obtained.

LVI. And be it enacted, That the Capital so to be raised by the Creation of new Shares shall be considered as Part of the general Capital, and shall be subject to the same Provisions in all respects, whether with reference to the Payment of Calls, or the Forfeiture of Shares on Nonpayment of Calls, or otherwise, as if it had been Part of the original Capital, except as to the Times of making Calls for such additional Capital, and the Amount of such Calls, which respectively it shall be lawful for the Company from Time to Time to fix, as they shall think fit.

New Shares to be considered same as original Shares.

LVII. And be it enacted, That if at the Time of any such Augmentation of Capital taking place by the Creation of new Shares, the then existing Shares of the Capital Stock of the Company be at a Premium, or of greater actual Value than the nominal Value thereof, then the Sum so to be raised shall be divided into Shares of such Amount as will conveniently allow the said Sum to be apportioned among the then Shareholders, in proportion to the existing Shares held by them respectively; and such new Shares shall be offered to the then Shareholders in the Proportion of One for every existing Share held by them respectively; and such Offer shall be made by Letter, under the Hand of the Clerk, given to or sent by Post to each Shareholder, or left at his usual or last Place of Abode; and such new Shares shall vest in and belong to the Shareholders, who shall accept the same, and pay the Value thereof to the Company at the Time and by the Instalments which shall be fixed by the Company; and if any Shareholder fail for One Month after such Offer of new Shares to accept the same, and pay the Instalment called for in respect thereof, it shall be lawful for the Company to dispose of such Shares, to any Party willing to become the Purchaser thereof, for such Sum as the Company can obtain for the same.

If old Shares at Premium, new Shares to be offered to original Shareholders.

LVIII. And be it enacted, That if at the Time of such Augmentation of Capital taking place the existing Shares of the Capital Stock of the Company be not at a Premium, then such new Shares may be of such Amount and may be issued in such Manner as the Company shall think fit.

If not at a Premium to be issued as Company think fit.

LIX. And be it enacted, That all the Money raised by the Company, whether by Subscriptions of the Shareholders, or by Loan or otherwise, shall be applied, firstly in paying the Costs and Expences incurred in obtaining this Act and all Expences preparatory or relating thereto, and secondly in carrying the Purposes of the Company into execution.

Application of Capital.

Ordinary Meetings to be held half-yearly ;

LX. And with respect to General Meetings of the Company, be it enacted, That the First General Meeting of the Shareholders of the Company under this Act shall be held in the Month of *August* next, and the future General Meetings shall be held on the last *Tuesday* in *January* and the last *Tuesday* in *July* in each Year ; and the Meetings so appointed to be held as aforesaid shall be called "Half-yearly General Courts ;" and all Meetings, whether ordinary or extraordinary, shall be held at or in such House or Offices as shall be provided in manner herein-after mentioned, or at or in such other convenient Place in the City of *London*, or within Three Miles thereof, as the Directors for the Time being shall from Time to Time appoint.

Business thereat.

LXI. And be it enacted, That no Matters, except such as are appointed by this Act to be done at an Ordinary Meeting, shall be transacted at any such Meetings, unless special Notice of such Matters have been given in the Advertisement or Circular convening such Meeting.

Extraordinary Meetings ;

LXII. And be it enacted, That every Meeting of the Shareholders, other than an Ordinary Meeting, shall be called an "Extraordinary General Court," and such Meetings may be convened by the Directors at such Times as they may think fit.

Business thereat.

LXIII. And be it enacted, That no Extraordinary Meeting shall enter upon any Business not set forth in the Requisition, or in the Notice upon which it shall have been convened.

Power to make Bye Laws.

LXIV. And be it enacted, That the Company shall have full Power, at any Ordinary or Extraordinary Meeting, from Time to Time, to make such Bye Laws as to the said Company shall seem proper, for the general Management of the said Undertaking, and from Time to Time to alter or repeal the same, so as such Bye Laws be not repugnant to the Laws of that Part of the United Kingdom called *England*, or to any of the Provisions in this Act contained, and shall have full Power to inspect, examine, and control the whole Affairs of the said Company.

Shareholders may require extraordinary Meetings to be convened.

LXV. And be it enacted, That it shall be lawful for Ten or more Shareholders, holding in the Aggregate One hundred Shares to the Amount of One thousand Pounds or upwards, by Writing under their Hands, at any Time to require the Directors to call an Extraordinary Meeting of the Company ; and such Requisition shall fully express the Object of the Meeting required to be called, and shall be left at the Office of the Company, or given to at least Three Directors, or left at their last or usual Places of Abode ; and forthwith upon the Receipt of such Requisition the Directors shall convene a Meeting of the Shareholders ; and if for Twenty-one Days after such Notice the Directors fail to call such Meeting, the said Number of Shareholders, qualified as aforesaid, may call such Meeting by giving Fourteen public Days Notice thereof.

LXVI. And

LXVI. And be it enacted, That Ten Days public Notice at the least of all Meetings, whether ordinary or extraordinary, shall be given by Advertisement, or by a Circular Letter from the Clerk of the Company, which shall specify the Place, the Day, and the Hour of Meeting; and every Notice of an Extraordinary Meeting, or of an Ordinary Meeting, if any other Business than the Business hereby appointed for Ordinary Meetings is to be done thereat, shall specify the Purpose for which the Meeting is called. Notice of Meetings.

LXVII. And be it enacted, That in order to constitute a Meeting, whether ordinary or extraordinary, there shall be present, either personally or by Proxy, Ten or more Shareholders holding in the Aggregate One hundred Shares to the Amount of One thousand Pounds or upwards; and the Shareholders present at any such Meeting shall proceed in the Execution of the Powers of the Company with respect to the Matters for which such Meeting shall have been convened, and to those only; and if within One Hour from the Time appointed for such Meeting the said Number of Shareholders qualified as aforesaid be not present, no Business shall be transacted at the Meeting, but the same shall be held to be adjourned *sine Die*. Quorum for a General Meeting.

LXVIII. And be it enacted, That at every Meeting of the Company one or other of the following Persons shall preside as Chairman, that is to say, the Chairman of the Directors, or in his Absence the Deputy Chairman, or in the Absence of both the Chairman and Deputy Chairman, some one of the Directors of the Company to be chosen for that Purpose by the Meeting, or in the Absence of the Chairman and Deputy Chairman, and of all the Directors, any Shareholder to be chosen for that Purpose at such Meeting. Chairman at General Meetings.

LXIX. And be it enacted, That every Meeting of the Shareholders may be adjourned from Time to Time, and no Business shall be transacted at any adjourned Meeting other than the Business left unfinished at the Meeting from which such Adjournment took place. Adjourned Meetings.

LXX. And be it enacted, That at all General Meetings of the Company every Shareholder shall be entitled to vote according to the Scale of voting herein-after mentioned; that is to say, every Shareholder possessing Five Shares and less than Ten Shares shall have One Vote, and every Shareholder possessing Ten Shares and less than Twenty-five Shares shall have Two Votes, and every Shareholder possessing Twenty-five Shares and upwards shall have Three Votes: Provided always, that no Shareholder shall be entitled to vote at any Meeting unless he shall have paid all the Calls then payable upon the Shares held by him. Votes of Shareholders.

LXXI. And be it enacted, That such Votes may be given either personally, or, in the Case of Females, or Members of either House of Parliament, during the Session of Parliament, or Persons absent from the United Kingdom, by Proxies, being Shareholders, authorized by Writing according to the Form of the Schedule (F.) to this Act annexed, Manner of voting.

annexed, or in a Form to the like Effect, under the Hand of a Shareholder nominating such Proxy, or if such Shareholder be a Corporation, then by the Agent appointed under their Common Seal; and every Proposition at any such Meeting shall be determined by the Majority of Votes of the Parties present, including Proxies, the Chairman of the Meeting being entitled to vote, not only as a Principal or Proxy, but have a casting Vote if there be an Equality of Votes.

Votes of
Joint Share-
holders.

LXXII. And be it enacted, That if several Persons be jointly entitled to a Share, the Person whose Name stands first in the Register of Shareholders as one of the Holders of such Share shall, for the Purpose of voting at any Meeting, be deemed the sole Proprietor thereof, and on all Occasions the Vote of such first-named Shareholder, either in Person or by Proxy, shall be allowed as the Vote in respect of such Share, without Proof of the Concurrence of the other Shareholders thereof.

Votes of
Lunatics and
Minors, &c.

LXXIII. And be it enacted, That if any Shareholder be a Lunatic or Idiot, such Lunatic or Idiot may vote by his Committee, and if any Shareholder be a Minor, he may vote by his Guardian or any one of his Guardians, and every such Vote may be given either in Person or by Proxy.

Proprietors
to be pos-
sessed of
Shares Six
Calendar
Months
before they
can vote.

LXXIV. And be it enacted, That no Proprietor shall be entitled to vote at any such Meeting as aforesaid, either in Person or by Proxy, in respect of any Shares held by him in the Capital of the said Company, unless he shall have been possessed of such Shares for at least Six Calendar Months next preceding the Time at which such Meeting shall be held: Provided always, that original Proprietors and Persons who may become Proprietors or acquire Shares by Marriage, or as the Executors, Administrators, Legatees, or next of Kin of deceased Proprietors, may at all Times vote in respect of such Shares, however short a Time they may have possessed the same.

Directors
named in the
Act.

LXXV. And be it enacted, That the Number of Directors shall not exceed Twelve nor be less than Seven, and that the aforesaid *William Green, John George Hammack, Thomas Johnson, John Pirie, Joseph Bishop, Edward Smith, John Annis, William Wall, Charles Francis, John Murray,* and *Frederick Shore Nodin* shall be the first Directors of the Company.

Election of
future
Directors.

LXXVI. And be it enacted, That the Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held in the Year One thousand eight hundred and forty-five, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or may elect a new Body of Directors, the Directors appointed by this Act being eligible as Members of such new Body; and at the First Ordinary Meeting to be held every Year thereafter the Shareholders present, personally or by Proxy, as herein-before provided, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions herein-after contained; and the several

Persons elected at any such Meeting, being neither removed nor disqualified, nor having resigned, shall continue to be Directors until others are elected in their Stead, as herein-after mentioned.

LXXVII. And be it enacted, That no Person shall be capable of being a Director unless he be a Shareholder possessed of Twenty-five Shares, and that no Person holding an Office or Place of Trust or Profit under the Company, or interested in any Contract with the Company, shall be capable of being a Director; and that no Director shall be capable of accepting any other Office or Place of Trust or Profit under the Company, or being interested in any Contract with the Company, during the Time he shall be a Director.

Qualification
of Directors.

LXXVIII. And in order to provide for the Accident of a sufficient Number of Shareholders not being present at any Meeting at which Directors are to be elected, be it enacted, That at any Meeting at which an Election of Directors ought to take place Ten Shareholders, holding in the aggregate Shares to the Amount of One thousand Pounds or upwards, shall not be present within One Hour from the Hour appointed for the Meeting, no Election of new Directors, or Re-election of existing Directors, shall be made, nor shall any Business be transacted, but in such Case, at the Expiration of Fourteen Days from the Day of such intended Meeting, another Meeting shall be held at the same Place; and if at such other Meeting the said Number of Shareholders so qualified as aforesaid be not present, personally or by Proxy, within One Hour from the Hour fixed for the Meeting, such Meeting shall stand adjourned till the following Day at the same Hour and Place; and if at the Meeting so adjourned the said Number of Shareholders so qualified as aforesaid be not present within One Hour from the Hour appointed for the Meeting, the existing Directors shall continue to act, and retain their Powers until the new Directors be appointed at the First Ordinary Meeting of the following Year.

Failure of
Meeting for
Election of
Directors.

LXXIX. And be it enacted, That the Directors appointed by this Act, and continued in Office as aforesaid, or the Directors elected to supply their Places as aforesaid, shall retire from Office at the Time and in the Proportions following, the Individuals to retire being in each Instance determined by Ballot among the Directors; (that is to say,)

Rotation of
Directors
first elected.

At the End of the First Year after the First Election of Directors One Fourth of such Directors shall go out of Office:

At the End of the Second Year One Third of the remaining Number of such Directors shall go out of Office:

At the End of the Third Year One Half of the Remainder of such Directors shall go out of Office:

At the End of the Fourth Year the Remainder of such Directors shall go out of Office:

And in each Instance the Places of the retiring Directors shall be supplied by an equal Number of Shareholders qualified as aforesaid.

LXXX. And be it enacted, That at the First Ordinary Meeting in every subsequent Year One Fourth of the Directors, being those

Permanent
Rotation of
Directors.

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who

who have been longest in Office, shall go out of Office and cease to be Directors, and their Places to be supplied in like Manner; nevertheless every Director so retiring from Office may be re-elected immediately or at any future Time, and after such Re-election shall, with reference to the going out by Rotation, be considered as a new Director: Provided nevertheless, that if the Number of Directors for the Time being shall not be capable of Division into an equal Number of Parts, according to the Proportions or Rotation herein-before provided, the Number of retiring Directors shall be determined according to the unequal Number or Proportion, whether more or less than the equal Proportion, but when the Number of Directors shall be reduced to or continued at Seven, then the Number of retiring Directors shall be Two at each Election, who shall nevertheless be re-eligible, as herein-before provided.

Cases in which Office of Director shall become vacant.

LXXXI. And be it enacted, That if any of the Directors, at any Time subsequently to his Election, accept or continue to hold any other Office or Place of Trust or Profit under the Company, or be either directly or indirectly concerned in any Contract with the Company, or participate in any Manner in the Profits of any Work to be done for the Company, or if such Director at any Time cease to be a Holder of Twenty-five Shares in the Company, then in any of the Cases aforesaid the Office of such Director shall become vacant, and thenceforth the Person in respect of whom the said Office of Director shall so have become vacant shall cease from voting or acting as a Director.

Occasional Vacancies in Office of Directors to be supplied by the remaining Directors.

LXXXII. And be it enacted, That if any Director of the Company die or resign, or become disqualified or incompetent to act as a Director, or cease to be a Director by any other Cause than that of going out of Office by Rotation as aforesaid, the remaining Directors, if they think proper so to do, may elect in his Place some other Shareholder duly qualified to be a Director, and the Shareholder so elected to fill up any such Vacancy shall continue in Office as a Director so long only as the Person in whose Place he shall have been elected would have been entitled to continue if he had remained in Office.

Powers of the Company to be exercised by the Directors.

LXXXIII. And with respect to the Exercise of the Powers of the Company, be it enacted, That the Directors shall have the Management and Superintendence of the Affairs of the Company, and they may lawfully exercise all the Powers of the Company, except as to such Matters as are directed by this Act to be transacted by a General Meeting of the Company; and amongst other Powers to be exercised by the Directors,

They may use the Common Seal:

They may appoint and displace any of the Officers of the Company, except the Clerk and Treasurer:

They may fix the Salaries of the Superintendent and all other Officers, except the Salaries of themselves and of the Clerk and Treasurer:

They may make and enforce the Calls upon the Shares of the respective Shareholders:

They may declare the Forfeiture of all Shares on which such Calls are not duly paid, subject to the Confirmation of a General Meeting as aforesaid :

They may enter into Contracts for the Execution of the Works of the Company, and for all other Matters necessary for the Transaction of its Affairs, and may compound for any Breach of or in or arising out of any such Contracts :

They may purchase the Lands authorized to be purchased by the Company, and sell such Parts thereof as may not be required for the Purposes of the Company :

They may provide and maintain for the Use of the Company suitable Offices in *London* if they should see fit, and for that Purpose may from Time to Time rent a House or Part of a House, or purchase or rent Land, either on Lease or otherwise, and build thereon suitable Offices for the Company, and either use the whole or Part of such House or Offices, and let the rest, or otherwise, as they may think fit ; and may enter into and give full Effect to all Contracts and Conveyances for that Purpose, and may provide all such Furniture, and from Time to Time renew the same, and keep in repair such House or Offices, and shall and may sell, exchange, or otherwise dispose of the same from Time to Time, as in the Opinion of the Directors Occasion may require :

They may fix the Fees and Dues to be taken by the Company :
And

They may make Bye Laws for the Regulation of the Affairs of the Company, and from Time to Time alter or repeal the same, and by any such Bye Laws shall and may, among other things, declare in what Way or upon what Authority the Monies of the Company shall be disbursed, and whose Receipt or Receipts shall be sufficient to discharge the Person or Persons paying any Money whatsoever or to or on account of the Company :

They may regulate the Mode of Interment in the said Cemetery, and the Disposition of all Vaults, Catacombs, and Graves, and of the Sums to be paid for the Purchase of the exclusive Right of Burial or Interment therein, or for the Right or Privilege of making or erecting Vaults and Graves, and of the Sums to be paid for single Interments, and for the Privilege of placing Monuments or Tablets in the Chapel or Chapels, or in any other Part of the Cemetery.

But all the Powers so to be exercised shall be exercised in accordance with and subject to the Provisions of this Act in that Behalf, and the Exercise of all such Powers shall be subject also to the Control and Regulation of any General Meeting specially convened for the Purpose, but not so as to render invalid any Act done by the Directors prior to any Resolution passed by such General Meeting.

LXXXIV. And be it enacted, That the following Powers of the Company, that is to say, the Choice and Removal of Directors and Auditors, the Appointment and Removal of the Treasurer and Clerk, the Determination as to the Remuneration of the Directors and of the Auditors, and of the Treasurer and Clerk, the Determination as to

Powers of the Company not to be exercised by the Directors.

to the borrowing Money on Mortgage, the Determination as to the Augmentation of Capital, and the Declaration of Dividends, shall be exercised only at a General Meeting of the Company.

Meetings of
Directors.

LXXXV. And be it enacted, That the Directors shall hold Meetings at such Times as they shall appoint for the Purpose, and they may meet and adjourn as they think proper, from Time to Time and from Place to Place; and at any Time any Two of the Directors may require the Clerk to call a Meeting of the Directors; and in order to constitute a Meeting of Directors there shall be present at the least Five of the Directors (but when the Number of Directors shall be reduced to or continued at Seven, Three Directors only shall constitute a Meeting); and all Questions, Matters, and Things considered at any such Meeting shall be determined by the Majority of Votes; and no Director, except the Chairman, shall have more than One Vote at any such Meeting, and if there be an equal Division of Votes upon any Subject entertained by such Meeting, the Chairman, in addition to his Vote as One of the Directors, shall have a casting Vote as Chairman.

Permanent
Chairman of
Directors.

LXXXVI. And be it enacted, That at the First Meeting of Directors held after the passing of this Act, and at the First Meeting of the Directors held after each annual Appointment of Directors, the Directors present at such Meeting shall choose One of the Directors to act as Chairman, and another to act as Deputy Chairman of the Directors for the Year following such Choice; and if the Chairman or Deputy Chairman die, or resign, or become disqualified to act, or otherwise cease to be a Director, the Directors present at the Meeting next after the Occurrence of such Vacancy shall choose some other of the Directors to fill such Vacancy.

Occasional
Chairman of
Directors.

LXXXVII. And be it enacted, That if at any Meeting of the Directors neither the Chairman nor the Deputy Chairman shall be present, the Directors present shall choose some One of their Number to be Chairman of such Meeting.

Committee
of Directors.

Powers of
the Company.

LXXXVIII. And be it enacted, That the Directors may appoint One or more Committees, consisting of such Number of Directors as they think fit, and may grant to any such Committee Power on behalf of the Company to do any Acts relating to the Affairs of the Company which the Directors shall from Time to Time think proper to intrust to such Committee, except to make Calls for Money upon the Shareholders.

Meetings of
the Com-
mittee.

LXXXIX. And be it enacted, That such Committees may meet from Time to Time, and may adjourn from Place to Place, as they think proper, for carrying into effect the Purposes of their Appointment; and no such Committee shall exercise the Powers intrusted to them, except at a Meeting at which there shall be present Three of its Members; and at all Meetings of the Committees One of the Members present shall be appointed Chairman; and all Questions at any Meeting of the Committee shall be determined by a Majority of the

the Members present, and in case of an equal Division of Votes the Chairman shall have a casting Vote in addition to his own Vote as a Member of the Committee.

XC. And be it enacted, That the Power which may be granted to any such Committee to make Contracts, as well as the Power of the Directors to make Contracts on behalf of the Company, may lawfully be exercised as follows ; (that is to say,) Contracts by Committees or Directors.

With respect to any Contract which, if made between any private Persons, would be by Law required to be in Writing, and under Seal, such Committee, or the Directors, may make such Contract on behalf of the Company in Writing, and under the Common Seal of the Company :

With respect to any Contract which, if made between any private Persons, would be by Law required to be in Writing, and signed by the Parties to be charged therewith, then such Committee or the Directors may make such Contract on behalf of the Company, in Writing signed by such Committee, or any Three of them, or any Three of the Directors, and in the same Manner may vary or discharge the same :

With respect to any Contract which, if made between any private Persons, would by Law be valid, although made by Parol only, and not reduced into Writing, such Committee, or the Directors, may make such Contract on behalf of the Company by Parol only, without Writing, and in the same Manner may vary or discharge the same :

And all Contracts made according to the Provisions herein contained shall be effectual in Law, and shall be binding upon the Company and their Successors, and all other Parties thereto, their Heirs, Executors, or Administrators, as the Case may be ; and on any Default in the Execution of any such Contract, either by the Company or any other Party thereto, such Actions or Suits may be brought, either by or against the Company, as might be brought had the same Contracts been made between private Parties only.

XCI. And be it enacted, That all Contracts made with the Company shall specify the Work to be done, the Quality of the Materials to be used, the Prices to be paid, the Term within which the Contract is to be performed, and the Penalties for Nonperformance thereof, or such other Things as the Company think proper, and the Company may take such Security for the Performance of such Contract as to them shall seem necessary ; nevertheless the Company lawfully may, from Time to Time as they think fit, compound with any Person on account of any Breach or Nonperformance of any such Contract, for any Sum of Money which they think fit, or they may remit any Penalties on account thereof. Contracts for Works.

XCII. And be it enacted, That the Directors shall cause Notes, Minutes, or Copies, as the Case may require, of all Appointments made or Contracts entered into by the Directors, and of the Orders and Proceedings of all Meetings, as well ordinary as extraordinary, of the Company, and of the Directors and Committees of Directors, to be duly entered in Books to be kept by the Clerk of the Company, Proceedings to be entered in a Book, and to be open for Inspection.

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which shall from Time to Time be provided by the Company for the Purpose, and which shall be kept under the Superintendence of the Directors; and every such Entry shall be signed by the Chairman of the Meeting at which the Matter in respect of which such Entry is made was moved or discussed, and by the Clerk of the Company or Person officiating for him in his Absence; and such Entry so signed shall be received as Evidence in all Courts, and before all Judges, Justices, and others, without Proof of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Shareholders or Directors, or Members of Committee respectively, or of the Signature of the Chairman, or Clerk or other Person as aforesaid, all of which last-mentioned Matters shall be presumed; and all such Books shall, at all reasonable Times, be open to the Inspection of any of the Shareholders.

Informality
in Appoint-
ment of Di-
rectors not
to invalidate
Proceedings.

XCIII. And be it enacted, That all Acts done by any Meeting of the Directors, or of a Committee of Directors, or by any Person acting as a Director, shall, notwithstanding it may be afterwards discovered that there was some Defect or Error in the Appointment of any Person attending such Meeting as a Director, or acting as aforesaid, or that such Person was disqualified, be as valid as if such Person had been duly appointed and was qualified to be a Director.

Indemnity of
Directors.

XCIV. And be it enacted, That no Director by being Party to, or making, signing, or executing, in his Capacity of Director, any Contract or other Instrument on behalf of the Company, or otherwise lawfully executing any of the Powers given to the Directors, shall be subject to be sued or prosecuted, either collectively or individually, by any Person whomsoever; and the Bodies, or Goods or Lands of the Directors, or any of them, shall not be liable to the Execution of any legal Process by reason of any Contract or other Instrument so entered into, signed, or executed by them or any of them, or by reason of any other lawful Act done by them or any of them, in the Execution of any of their Powers as Directors; and the Directors, their Heirs, Executors, and Administrators, shall be indemnified out of the Capital of the Company for all Payments made or Liabilities incurred in respect of any Acts done by them, and for all Losses, Costs, and Damages which they may incur in the Execution of the Powers granted to them; and the Directors for the Time being of the Company shall apply the existing Funds and Capital of the Company for the Purposes of such Indemnity, and shall, if necessary for that Purpose, make Calls of the Capital remaining unpaid.

Election of
Auditors.

XCV. And with respect to the Appointment of Auditors, be it enacted, That the Company shall, at the First Ordinary Meeting in each Year, elect Three Auditors in like Manner as is provided for the Election of Directors; and every Auditor so elected, being neither removed nor disqualified, nor having resigned, shall continue to be an Auditor until another be elected in his Stead; and that *George Lee*, *Randall Glynes*, and *Henry James Valentine Long*, who have been already elected Auditors, shall be the Auditors of the said Company until the Ordinary Meeting in *January* One thousand eight, hundred

and forty-two, unless they shall respectively sooner die, resign, or be removed or become disqualified,

XCVI. And be it enacted, That every Auditor shall have at least Ten Shares, and he shall not hold any Office in the Company, nor be in any other Manner interested in its Concerns, except as a Shareholder. Qualification of Auditors.

XCVII. And be it enacted, That One of such Auditors (to be determined in the first instance between themselves, and afterwards by Seniority,) shall go out of Office at the End of every Year; but the Auditor so going out shall be immediately re-eligible, and after any such Re-election shall, with respect to the going out of Office by Rotation, be deemed a new Auditor. Rotation as to Auditors.

XCVIII. And be it enacted, That if any Vacancy take place among the Auditors in the course of the current Year, then, at any General Meeting of the Company, the Vacancy may, if the Company think fit, be supplied by Election of the Shareholders. Vacancies in Office of Auditor.

XCIX. And be it enacted, That the Provision of this Act respecting the Failure of an Ordinary Meeting, at which Directors are to be chosen, shall apply to any Ordinary Meeting at which an Auditor is to be appointed. Failure of Meeting to elect Auditor.

C. And be it enacted, That it shall be the Duty of such Auditors to receive from the Directors the half-yearly or other periodical Accounts and Balance Sheet required to be presented to the Shareholders, and to examine the same. Duty of Auditors.

CI. And be it enacted, That for the above Purposes such Auditors may employ such Accountants and other Persons as they may think proper, at the Expence of the Company, and they shall either make a special Report on the said Accounts, or simply confirm the same; and such Report or Confirmation shall be read, together with the Report of the Directors, at the Ordinary Meeting. Powers of Auditors.

CII. And be it enacted, That the Directors shall deliver to such Auditors the half-yearly or other periodical Accounts and Balance Sheet Fourteen Days at the least before the ensuing Ordinary Meeting at which the same are required to be produced to the Shareholders, as herein-after provided. Delivery of Balance Sheet, &c. by Directors to Auditors.

CIII. And be it enacted, That the Remuneration of the Directors and Auditors shall from Time to Time be fixed by a General Meeting of the Company. Remuneration of Directors and Auditors.

CIV. And be it enacted, That at the First General Meeting after the passing of this Act the Company shall elect a Secretary or Clerk, and (if considered requisite or desirable) a Treasurer, and any subsequent General Meeting may remove from Office any such Secretary or Clerk, or Treasurer, for Misconduct; and if such Secretary or Treasurer die, or resign, or be so removed, and the Secretary or Treasurer shall be elected in his Place at a General Meeting; and from Time to Time any such Company to appoint a Secretary and Treasurer.

such Meeting may fix the Salary or other Emoluments to be allowed to such Secretary or Treasurer respectively as they think proper.

Suspension
of Secretary
or Treasurer.

CV. And be it enacted, That the Directors may at any Time suspend either the Treasurer or the Secretary from his Office for Misconduct, and may appoint some Person temporarily to fill the Office of Treasurer or Secretary so suspended, or when vacant from any other Cause, with such Salary as they think fit; but in any such Case they shall forthwith call an Extraordinary Meeting of the Company, for the Purpose of taking into consideration the Propriety of removing from his Office any Treasurer or Secretary so suspended, and of electing a new Treasurer or Secretary, as the Case may require.

Separation of
Offices of
Secretary and
Treasurer.

CVI. And be it enacted, That neither the Person who shall hold the Office of Secretary, nor the Partner of such Secretary, nor any Person in the Service or Employ of such Secretary or of his Partner, shall be eligible to be the Treasurer; and that neither the Person who shall hold the Office of Treasurer, nor the Partner of such Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be the Secretary; and if any Person offend in any of the following Cases he shall for every such Offence forfeit One hundred Pounds; (that is to say,)

Penalty.

If any Person accept both the Offices of Secretary and Treasurer:

If any Person, being the Partner of such Secretary, or in the Service or Employ of such Secretary or of his Partner, accept the Office of Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer:

If any Person being the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Secretary, or act as Deputy of the Secretary, or in any Manner officiate for the Secretary:

If any such Treasurer or Secretary hold any Place of Profit or Trust under the Company, other than that of Treasurer or Secretary, as the Case may be:

And any Person may sue for such Penalties, by Action of Debt or on the Case, in any of the Superior Courts, and shall, on Recovery thereof, be entitled to full Costs of Suit.

Security to
be taken.

CVII. And be it enacted, That before any Person intrusted with the Custody or Control of Monies, whether Treasurer, Collector, or other Officer of the Company, shall enter upon his Office, the Directors shall take sufficient Security from him for the faithful Execution of his Office.

Officers to
account on
Demand.

CVIII. And be it enacted, That every Officer or Person employed by the Company shall from Time to Time, when required by the Directors, make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing under his Hand of all Monies received by him on behalf of the Company; and such Account shall state how, and to whom, and for what Purpose such Monies shall have been disposed of, and, together with such Account, such Officer shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Directors,
or

or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

CIX. And be it enacted, That if any such Officer fail to render such Account, or to produce and deliver up all the Vouchers and Receipts relating to the same in his Possession or Power, or to pay the Balance thereof when thereunto required, or if for Three Days after being thereunto required he fail to deliver up to the Directors, or to any Person appointed by them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Company, then, on Complaint thereof being made to a Justice, such Justice shall, by Warrant under his Hand and Seal, cause such Officer to be brought before him, and upon such Officer being so brought before him, or if such Officer cannot be found, then in his Absence, such Justice may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon such Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Monies of the Company are in the Hands of such Officer, or owing by him to the Company, such Justice may order such Officer to pay the same, and if he fail to pay the Amount it shall be lawful for such Justice to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain without Bail for a Period not exceeding Three Months, and in any of the following Cases; (that is to say,)

Summary
Remedy
against Par-
ties failing to
account.

If any such Officer do not appear before the Justice at the Time and Place appointed for that Purpose; or

If such Officer appear, but fail to make such Account in Writing; or

If such Officer refuse to produce and deliver to the Justice the several Vouchers and Receipts relating to such Account; or

If such Officer refuse to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, in his Possession or Power, belonging to the Company,

Such Justice may lawfully commit such Offender to Gaol, and in every such Case of Commitment the Prisoner shall remain in Custody, without Bail, until he have made out and delivered such Accounts, and delivered up the Vouchers and Receipts, if any, relating thereto, in his Possession or Power, and have delivered up such Books, Papers, Writings, Property, Effects, Matters, and Things, if any, in his Possession or Power.

CX. And be it enacted, That no such proceeding against or Dealing with any such Officer as aforesaid shall deprive the Company of any Remedy which they might otherwise have against any Surety of such Officer.

Sureties not
to be dis-
charged.

CXI. And be it enacted, That full and true Accounts shall be kept of all Sums of Money received or expended on account of the Company by the Directors, and all Persons employed by or under
[Local.]

Accounts to
be kept.

them, and of the Articles, Matters, and Things for which such Sums of Money shall have been received or disbursed and paid.

Books to be balanced.

CXII. And be it enacted, That the Books of the Company shall be brought to a Balance Fourteen Days at least before each Ordinary Meeting, and forthwith, on the Books being so balanced, an exact Balance Sheet shall be made up, which shall exhibit a true Statement of the Capital Stock, Credits, and Property of every Description belonging to the Company, and the Debts due by the Company at the Date of making such Balance Sheet, and a distinct View of the Profit or Loss which shall have arisen on the Transactions of the Company in the course of the preceding Half Year; and previously to each Ordinary Meeting such Balance Sheet shall be examined and docqueted by the Directors, or any Three of their Number, and shall be signed by the Chairman or Deputy Chairman of the Directors.

Inspection of the Accounts by Shareholders at stated Times.

CXIII. And be it enacted, That the Books so balanced, together with such Balance Sheet as aforesaid, shall for Fourteen Days previous to each Ordinary Meeting, and for One Month thereafter, be open for the Inspection of the Shareholders at the Principal Office or Place of Business of the Company, but the Shareholders shall not be entitled at any Time, except during the aforesaid Period, before and after each Ordinary Meeting, to demand the Use or Inspection of such Books, unless in virtue of a written Order signed by Three of the Directors.

Balance Sheet to be produced.

CXIV. And be it enacted, That at such Ordinary Meeting the Directors shall produce to the Shareholders assembled such Balance Sheet as aforesaid applicable to the Periods immediately preceding such Meeting.

Book-keeper to allow Inspection.

CXV. And be it enacted, That a Book-keeper shall be appointed by the Directors, and such Book-keeper shall enter the Accounts aforesaid in Books to be provided for that Purpose, and to be kept in the Custody of the Directors, or of the Clerk of the Company, and every such Book-keeper shall be authorized to permit any Shareholder, or any Loan Creditor, to inspect such Books at any reasonable Time during One Fortnight before and One Month after every Ordinary Meeting; and if he fail to permit any such Shareholders or Loan Creditors to inspect such Books, or take Copies or Extracts therefrom, during the Periods aforesaid, he shall forfeit for every such Offence a Sum not exceeding Twenty Pounds.

Declaration of Dividends.

CXVI. And be it enacted, That previously to every Ordinary Meeting the Directors shall cause a Scheme to be prepared, showing the Profits, if any, of the Company for the Period current since the immediately preceding Ordinary Meeting, and apportioning the same among the Shareholders according to the Shares held by them respectively, and shall exhibit such Scheme at such Ordinary Meeting, and at such Meeting a Dividend may be declared according to such Scheme.

CXVII. And

CXVII. And be it enacted, That the Company shall not make any Dividend whereby their Capital Stock will be in any degree reduced. Dividend not to reduce Capital.

CXVIII. And be it enacted, That before apportioning the Profits aforesaid the Directors may, if they think fit, set aside thereout such Sum as they may think proper to meet Contingencies, or for enlarging, repairing, or improving the Work connected with the Undertaking, or any Part thereof, and may divide the Balance only among the Proprietors, and the Directors shall and may, at Discretion, from Time to Time cause the Sum so set aside to be laid out or invested in Parliamentary Stocks or Funds of *Great Britain*, or at Interest on Government or Real Securities in the United Kingdom, to the Intent that the same may accumulate until wanted for the Purposes of the Company, and may from Time to Time, as they shall think proper, cause the Funds or Property so invested to be varied into any other or the like Stocks, Funds, or Securities, or cause the same to be called in and converted into Money, and the Money arising thereby to be again invested in manner aforesaid, and so from Time to Time as Occasion shall require. Funds for Contingencies.

CXIX. And be it enacted, That no Dividend shall be paid in respect of any Share until all Calls then due in respect of that or of any other Share held by the Person to whom such Dividend may be payable shall have been paid. Dividend not to be paid unless all Calls paid.

CXX. And be it enacted, That the Production of a written or printed Copy of the Bye Laws of the Company, having the Common Seal of the Company affixed thereto, shall be sufficient Evidence of such Bye Laws in all Cases of Prosecution under the same. Evidence of Bye Laws.

CXXI. And with respect to the Service of Notices upon the Company, be it enacted, That any Summons, Notice, or Writ, or other Proceeding at Law or in Equity, requiring to be served upon the Company, may be served by the same being given personally to the Secretary of the Company, or being left at the Office of the Company, or being delivered to some Inmate at the Place of Abode of such Secretary, or in case there be no Secretary, or the Place of Abode of the Secretary respectively shall not be found, then by being given to any one Director of the Company, or by being delivered to some Inmate of the Place of Abode of any such Director. Service of Notice upon the Company.

CXXII. And with respect to any such Notice, whether for Calls or otherwise, required to be served by the Company upon the Shareholders; be it enacted, That unless any such Notice be expressly required to be served personally, it shall be sufficient to transmit the same by Post, directed according to the registered Address, or other known Address of the Shareholder, within such Period as to admit of its being delivered in the due Course of Delivery, within the Period (if any) prescribed for the giving of such Notice; and in proving such Service it shall be sufficient to prove that such Notice was properly directed, and that it was so put in the Post Office. Service by Company on Shareholders.

CXXIII. And

Notice by
Advertisement.

CXXIII. And be it enacted, That all Notices required by this Act to be given by Advertisement in a Newspaper shall be advertised in the *Times* Newspaper, or, if such Newspaper cease to be published, in a Newspaper circulating in the District within which the Company's principal Place of Business shall be situated.

Authentica-
tion of No-
tices.

CXXIV. And be it enacted, That every Summons, Demand, or Notice, or other such Document requiring Authentication by the Company, may be signed by One Director, or by the Treasury, or the Secretary or Clerk of the Company, and need not be under the Common Seal of the Company, and the same may be in Writing or in Print, or partly in Writing and partly in Print.

Declaring
what shall be
good Service
of Notice by
the Company,
on other than
Shareholders.

CXXV. And be it enacted, That in all Cases in which it may be necessary for the said Company to give any Notice to any Corporation, or to any Person whomsoever (except Shareholders), under the Provisions or Directions contained in this Act, such Notice shall or may be in any Manner as last aforesaid; and such Notice shall be delivered to such Person, or to some Inmate of the last or usual Place of Abode of such Person, or be delivered to some Clerk or other Officer of such Corporation, or be left at the Office of such Clerk or Officer, or be delivered to some Inmate of the last or usual Place of Abode of such Clerk or Officer; or in case there shall be no such Clerk or other Officer, or his last or usual Place of Abode or Office shall not be found or known, then the same shall be delivered to some Member of such Corporation, or to some Inmate of the last or usual Place of Abode of such Member, except in Cases in which any other Mode of giving such respective Notices is by this Act particularly directed.

Releases to
Witnesses.

CXXVI. And be it enacted, That in all legal Proceedings under this Act, general or other Releases, for the Purpose of qualifying any Person in the Service of the Company to give Evidence as a Witness, may be granted by any Two or more of the Directors; and every such Release or Discharge, under the Hands and Seals of Two of the Directors, shall be as effectual for the Purpose aforesaid as if made under the Common Seal of the Company.

Shareholders
may be Wit-
nesses.

CXXVII. And be it enacted, That no Person shall, in any Action, Prosecution, or other Proceeding whatsoever relating to or concerning the Execution of this Act, be deemed an incompetent Witness on account of his or her being a Shareholder of the said Company, or a Director, Auditor, Treasurer, Clerk, or other Officer thereof.

Proof of
Debts in
Bankruptcy.

CXXVIII. And with respect to the Proof and Recovery of Debts or other Proceedings against the Estates of Bankrupts or Insolvents, be it enacted, That if any Person against whom the Company shall have any Claim or Demand become bankrupt, or take the Benefit of any Act for the Relief of Insolvent Debtors, it shall be lawful for the Secretary or Treasurer of the Company, and they are hereby severally empowered, in all Proceedings instituted or prosecuted by the Company against the Estate of such Bankrupt or Insolvent, to represent the Company, and act in their Behalf, in all respects as if such Claim

Expectancy after them, if incapacitated, unborn, or not to be found; and as to such Married Women as if they were sole, and as to such Guardians, on behalf of their Wards, and as to such Committees, on behalf of the Lunatics and Idiots of whom they are the Committees respectively, and that to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have exercised the same Power under the Authority of this Act if they had respectively been under no Disability; and as to such Trustees, Executors, and Administrators, on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Femes Covert, or other Persons, and that to the same Extent as such Cestuique Trusts respectively could have exercised the same Powers under the Authority of this Act, if they had respectively been under no Disability.

Parties under Disability to exercise other Powers.

CXXXII. And be it enacted, That the Power to enfranchise Copyhold Lands, as well as every other Power required to be exercised by the Lord of any Manor under the Provisions of this Act, and the Power to release Lands from any Rent, Payment, Charge, or Incumbrance, and to agree for the Apportionment of any such Rent, Charge, or Incumbrance, shall extend to and may lawfully be exercised by every Party herein-before enabled to sell and dispose of or convey and release Lands to the Company.

Amount of Compensation to be ascertained by Valuation in case of Parties under Disability.

CXXXIII. And with respect to the Consideration Money to be paid for any Lands to be purchased from any Party under any Disability or Incapacity, and not having Power to sell or convey except under the Provisions of this Act contained, be it enacted, That such Consideration Money shall be determined by the Valuation of Two able practical Surveyors, one of whom shall be nominated by the Company and the other by the other Party; and if such Two Surveyors cannot agree in the Valuation, then by such Third Surveyor as any Two Justices shall for that Purpose nominate; and each of such Two Surveyors, if they agree, or if not then the Surveyor nominated by the said Justices, shall annex to the Valuation a Declaration of the Correctness thereof.

Purchase of Lands on Chief Rents.

CXXXIV. And be it enacted, That if any Person seised in Fee of, or entitled to dispose of absolutely for his own Benefit, any Lands authorized to be purchased for the Purposes of this Act, shall be willing to sell such Lands for a perpetual annual Rent-charge, in lieu of a Sum in gross, such Persons may lawfully sell and convey such Lands or any Part thereof unto the Company, in consideration of an annual Rent-charge payable by the Company to the Person so selling and conveying, and to his Heirs and Assigns.

Form of Conveyances.

CXXXV. And be it enacted, That all Conveyances so to be purchased as aforesaid may be according to the Form in the Schedule (H.) and (I.) respectively to this Act annexed, or as near thereto as the Circumstances of the Case will admit; and all such Conveyances shall be effectual to vest the Lands thereby conveyed in the Company, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed, and to bar and to destroy

all such Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever of and in the Lands comprised in such Conveyances as shall have been purchased or compensated for by the Consideration therein mentioned; but although Terms of Years be thereby merged, they shall in Equity afford the same Protection as if they had been kept on Foot and assigned to a Trustee for the Company to attend the Reversion and Inheritance.

CXXXVI. And for the Purpose of providing for the Deposit and Application of the Purchase Money or Compensation to be paid in respect of any such Lands which may belong to Parties under Disability, be it enacted, That if any such Purchase Money or Compensation shall be payable in respect of any such Lands, or any Interest therein, which any Corporation, Tenant for Life, or for any other partial or qualified Interest, Married Woman seised in her own Right or entitled to Dower, Guardian, Committee of Lunatic or Idiot, Trustee, Executor, or Administrator, or Person under any Disability, shall be entitled to, and shall under the Powers of this Act be enabled to convey or dispose of the same, shall, if it amount to or exceed the Sum of Two hundred Pounds, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* "The City of *London* and *Tower Hamlets* Cemetery Company," pursuant to the Method prescribed by an Act of the First Year of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Money and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the Court, and for other Purposes*, and pursuant to the General Orders of the said Court; and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes; (that is to say,)

Purchase Money payable to Parties under Disability amounting to £200 to be deposited in Bank of England.

1 G. 4. c. 35.

Application of Monies deposited.

In the Purchase or Redemption of the Land Tax, or the Discharge of any Debt or Incumbrance affecting the Land in respect of which such Money shall have been paid, or affecting other Lands settled therewith to the same or the like Uses, Trusts, or Purposes; or

In the Purchase of other Lands, to be conveyed, limited, and settled upon the like Uses, Trusts, and Purposes, and in the same Manner, as the Lands in respect of which such Money shall have been paid stood settled; or

If such Monies shall be paid in respect of any Buildings taken under the Authority of this Act, in replacing such Buildings, or substituting others in their Stead in such Manner, as the Court of Exchequer shall direct; or

In Payment of any Party becoming absolutely entitled to such Money.

CXXXVII. And be it enacted, That such Money may be so applied as aforesaid upon an Order of the Court of Exchequer made on the Petition of the Party who would have been entitled to the Rents and Profits of the Lands in respect of which such Money shall

Order for Application.

shall have been deposited; and until the Money can be so applied it may, upon the like Order, be invested by the said Accountant General in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and until such Annuities or Securities shall be ordered to be sold or converted into Money for the Purposes aforesaid, the Interest, Dividends, and annual Proceeds thereof shall from Time to Time be paid to the Party who would for the Time being have been entitled to the Rents and Profits of the Lands, and the Order for such Investment, and the Application of the Interest, Dividends, and annual Proceeds thereof, may be made on the like Petition.

Purchase Money not amounting to 200*l.* but exceeding 20*l.* to be deposited or invested in Trustees.

CXXXVIII. And with respect to any such Purchase Money or Compensation which shall not amount to the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, be it enacted, That the same shall either be paid into the Bank of *England*, and applied in the Manner herein-before directed with respect to Sums amounting to or exceeding Two hundred Pounds, or the same may lawfully be paid to Two Trustees to be nominated by the Parties entitled to the Rents or Profits of the Lands in respect whereof the same shall be payable, such Nomination to be signified by Writing under the Hands of the Parties so entitled; and in case of the Coverture, Infancy, Lunacy, or other Incapacity of the Parties entitled to such Monies, such Nomination may lawfully be made by their respective Husbands, Guardians, Committees, or Trustees, but such last-mentioned Application of the Monies shall not be made unless the Company approve thereof, and of the Trustees named for the Purpose, such Approval to be signified in Writing under their Common Seal; and the Money so paid to such Trustees, and the Produce arising therefrom, shall be by such Trustees applied in the Manner herein-after directed with respect to Money paid into the Bank of *England*, but it shall not be necessary to obtain any Order of the Court for that Purpose.

Sums not exceeding 20*l.* to be paid to Parties.

CXXIX. And with respect to any such Money which shall not exceed the Sum of Twenty Pounds, be it enacted, That the same shall be paid to the Parties who would for the Time being have been entitled to the Rents and Profits of the Lands in respect whereof the same shall be payable for their own Use and Benefit, or in case of the Coverture, Infancy, Idiocy, Lunacy, or other Incapacity of any such Parties, then such Money shall be paid, for their Use, to the respective Husbands, Guardians, Committees, or Trustees of such Persons.

Lands not wanted to be sold.

CXL. And for the Purpose of making Provision respecting the Sale of Lands acquired by the Company under the Provisions of this Act, but which shall not be required for the Purposes thereof, be it enacted, That it shall be lawful for the said Company from Time to Time to sell all such superfluous Lands in such Manner as they may deem most advantageous, and convey the same to the Purchasers thereof, by Deed under the Common Seal of the Company, and a Receipt under such Common Seal shall be a sufficient Discharge to the

the Purchaser of any such Lands for the Purchase Money in such Receipt expressed to be received.

CXLI. Provided always, and be it enacted, That it shall not be lawful for the Company to sell or dispose of any Land which shall have been consecrated or used for the Burial of the Dead. Consecrated Ground not to be sold.

CXLII. Provided always, and be it enacted, That before the Company dispose of any such superfluous Lands they shall first offer to sell the same to the Person then entitled to the Lands (if any) from which the same were originally severed, or, in case he shall be entitled to any Land adjoining such Lands, or otherwise, if such Person refuse to purchase the same, or cannot be found, then the like Offer shall be made to the Person or to the several Persons whose Lands shall immediately adjoin the Lands so proposed to be sold, such Persons being capable of entering into a Contract for the Purchase of such Lands; and where more than One such Person shall be entitled to such Right of Pre-emption, such Offer shall be made to such Persons in succession one after another in such Order as the said Company shall think fit. Lands to be offered to adjoining Owners.

CXLIII. And be it enacted, That in every Conveyance of Lands to be made by the Company under this Act the Word "grant" shall operate as express Covenants by the Company, for themselves and their Successors, with the respective Grantees therein named, and the Successors, Heirs, Executors, Administrators, and Assigns of such Grantees, according to the Quality or Nature of such Grants, and of the Estate or Interest therein expressed to be thereby conveyed, as follows, except so far as the same shall be restrained or limited by express Words contained in any such Conveyance; (that is to say,) Effect of the Word "grant" in Conveyances

A Covenant that notwithstanding any Act or Default done by the Company they were at the Time of the Execution of such Conveyance seised or possessed of the Lands or Premises thereby granted for an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances done or occasioned by them, or otherwise for such Estate or Interest as therein expressed to be thereby granted, free from Incumbrances done or occasioned by them:

A Covenant that the Grantee of such Lands, his Heirs, Successors, Executors, Administrators, and Assigns, (as the Case may be,) shall quietly enjoy the same against the Company and their Successors, and all other Persons claiming under them, and be indemnified and saved harmless by the Company and their Successors from all Incumbrances created by the Company:

A Covenant for further Assurance of such Lands at the Expence of such Grantee, his Heirs, Successors, Executors, Administrators, or Assigns, (as the Case may be,) by the Company or their Successors, and all other Persons claiming under them:

And all such Grantees, and their several Successors, Heirs, Executors, Administrators, and Assigns respectively, according to their respective Quality or Nature, and the Estate or Interest in such Conveyance expressed to be conveyed, may in all Actions brought

by them assign Breaches of Covenants as they might do if such Covenants were expressly inserted in such Conveyances.

Power to
make Bridge
over or
Tunnel under
Footpath.

CXLIV. And whereas, for the Purpose of making a more convenient Approach from the High Road to the said Cemetery, it will be necessary to cross the Footpath from *Bromley to Stepney* herein before mentioned; be it enacted, That in order to connect such Approach with the said Cemetery it shall be lawful for the said Company to construct a Bridge or Bridges over and a Tunnel or Tunnels under the said public Footpath, or such Bridge or Bridges only, or such Tunnel or Tunnels only, as to the Company shall seem fit, or to cross the same upon a Level with Horses, Carts, and Carriages, or without, or otherwise, such Bridge or Bridges not to be of less Height from the Crown of the Arch or the Level of the Bridge to the Level of such Footpath than Nine Feet in the Clear, such Footpath to be lowered to the Depth of Two Feet below the present Level of the Ground, the Span of the Bridge not to be less than Six Feet in the Clear, and the Piers or Abutments whereof shall be formed on the Ground of the said Company, and any such Tunnel to be secured either by a Brick Arch of not less than Twelve Inches in Thickness, or by Cast Iron Work laid on Brick or other substantial Piers of sufficient Strength.

Companyem-
powered to
construct the
Cemetery.

CXLV. And whereas the said Company have obtained the Consent in Writing of all the Owners and Occupiers and of all the Lessees (except One Lessee, who is of the Age of Eighty-four Years or thereabouts, and who, by reason of his great Age and Infirmities, is incapable of transacting any Business), of every House of the annual Value of Fifty Pounds, or having a Plantation or ornamental Garden or Pleasure Ground occupied therewith, situate within Three hundred Yards of the proposed Cemetery or Burial Ground, to the Erection thereof; be it therefore enacted, That it shall be lawful for the Company to make and maintain a Cemetery or Burial Ground on a certain Piece of Land lately belonging to the Executors of *Thomas Foster* deceased, and partly on Ground now or lately belonging to *Mistress Eleanor Knapp*, on which Land such Cemetery is now in progress of Formation, and bounded on the North by a public Footpath leading from *Bromley to Stepney*, on the South by Land partly used as a Ropewalk, belonging to *Messieurs Soanes and Son*, and partly by other Land belonging to the said *Mistress Eleanor Knapp*, on the East by Land belonging to *Miss Dermer*, and on the West by Land set out or intended to be set out as a Road, Path, or Street leading from the *Mile End Road* to the aforesaid Ropewalk, or so much of the same as shall be purchased by them under the Powers of this Act, and to lay out and embellish the same in such Manner as they shall think proper.

Power to
make Sewers
to drain the
same.

CXLVI. And be it enacted, That it shall be lawful for the said Company to make and sink all necessary and proper Sewers, Soughs, Ditches, Drains, Wells, and other Conveniences in and about the said Cemetery, for the Purpose of conveying the Water from the same, and keeping the same dry.

CXLVII. And be it enacted, That every Part of the Cemetery shall be inclosed with Walls or other sufficient Fences. Cemetery to be inclosed;

CXLVIII. And be it enacted, That the Company shall keep the Cemetery, and the Buildings and Fences thereof, in complete Repair, out of the Monies to be received by them by virtue of this Act. to be kept in repair;

CXLIX. And be it enacted, That it shall be lawful for the Bishop of *London* for the Time being to consecrate any Part of the Cemetery, and the Part so consecrated shall be used only for the Burial of the Dead according to the Rites of the Established Church. to be consecrated.

CL. Provided always, and be it enacted, That it shall not be lawful for the Bishop of the Diocese to consecrate any Land unless the Company shall show to his Satisfaction a good Title to the same. Title to be approved before Consecration.

CLI. And be it enacted, That it shall be lawful for the Company to construct, within such Part of the Cemetery as shall be consecrated, a Chapel for the Reception of the Dead immediately previous to Interment, and for performing therein the Burial Service according to the Rites of the Established Church, and also such covered Porches, or Colonnades, Catacombs, and Vaults for private or public Burial Places, and such other Buildings as the Company shall think proper. A Chapel to be constructed for Performance of Burial Service according to the Rites of the Established Church.

CLII. And be it enacted, That it shall be lawful for the Company to set apart a Portion of the Cemetery as a Place of Burial for Persons not being Members of the Established Church, and to permit the Bodies of their Dead to be interred therein: Provided always, that every such Burial shall be conducted in a decent and a solemn Manner, and under such Regulations and Restrictions as the Company shall impose. Part of the Cemetery for Dissenters.

CLIII. And be it enacted, That it shall be lawful for the Company to construct, within the unconsecrated Part of the Cemetery, such Chapels as they may think necessary for the Reception of the Dead immediately previous to Interment, and for performing therein the Burial Service according to the Rites of any Church or Congregation other than the Established Church, by any Minister of such other Church or Congregation duly authorized by Law to officiate in such Church or Congregation, or recognized as such by the Religious Community or Society to which he may belong, and also such covered Porches or Colonnades, and Catacombs and Vaults for private and public Burial Places, and such other Buildings as the Company shall think proper. Chapels for Dissenters.

CLIV. And be it enacted, That a Plan of the Cemetery shall be made at the Expence of the Company upon a Scale sufficiently large to show the Place and Situation of every Vault and Place of Burial made therein, and all such Vaults and Places of Burial shall be numbered, and such Numbers shall be entered in Books to be kept for that Purpose, and such Books shall contain the Names and Descriptions Plan and Book of Reference to be kept.

Descriptions of the several Persons interred in such Vaults, and Places of Burial; and no Vault or Place of Burial shall be made in the Cemetery without the same being marked out in such Plan, and a corresponding Entry made in the said Book; and the said Plan and Book shall be kept by the Clerk of the Company, and shall be open to the Inspection of every Shareholder without Fee or Reward.

Sale of
Vaults,
Rights of
Burial, &c.

CLV. And be it enacted, That it shall be lawful for the Company, under such Regulations and Restrictions and subject to such Conditions as they shall think proper, to sell the exclusive Right of Burial, either in perpetuity or for a limited Period, in any Vault, Catacomb, or Place of Burial constructed by the Company within the Cemetery, and also the Right of constructing any Vault, Catacomb, or Place of Burial within the Cemetery, with the exclusive Right of Burial therein, in perpetuity or for a limited Period, and also the Right of single Interment in any Vault, Catacomb, or other Place of Burial constructed by the Company, or in the open Ground of the Cemetery, and also the Right of erecting and placing any Monument or Gravestone in the Cemetery, or any Monument or Monumental Inscription on the Walls of the Chapel or other Place within the Cemetery.

Form of
Grant.

CLVI. And be it enacted; That the Grant of the exclusive Right of Burial in any Vault, Catacomb, or Place of Burial, and of the Right of making of any Vault, Catacomb, or Place of Burial, with the exclusive Right of Burial therein, either in perpetuity or for a limited Period, and of the Right and Privilege of erecting any Monument or Gravestone, shall be under the Common Seal of the Company, and may be made in the Form in the Schedule (J.) to this Act annexed, or to the like Effect.

Register of
Grants to be
kept.

CLVII. And be it enacted, That a Register of all such Grants shall be kept by the Clerk to the Company, and within Fourteen Days after the Date of any such Grant an Entry or Memorial of the Date thereof, and of the Parties thereto, and also of the Consideration for such Grant, and also a proper Description of the Vault, Catacomb, or Burial Place, or of the Piece of Ground described in such Grant, so as the Situation thereof may be ascertained, shall be made by the said Clerk in such Register; and such Clerk shall receive such Sum as the Company shall think fit, not exceeding Two Shillings and Sixpence, for every such Entry or Memorial; and the said Register may be perused at all reasonable Times by any Shareholder without Fee or Reward, and by any Grantee of the Company, or any Purchaser or intended Purchaser of any Right conveyed in any such Grant, upon Payment of the Sum of Two Shillings and Sixpence to the Clerk of the Company.

Rights of
Burial to be
assignable.

CLVIII. And be it enacted, That the exclusive Right of Burial or Interment in any such Vault, Catacomb, or Burial Place shall, whether granted in perpetuity or for a limited Period, be considered as the Personal Estate of the Grantee, and may be assigned in his Lifetime or bequeathed by his Will.

CLIX. And

CLIX. And be it enacted, That every such Assignment shall be by Deed duly stamped, in which the Consideration shall be duly set forth, and may be in the Form in Schedule (K.) to this Act annexed, or to the like Effect. Form of Assignment.

CLX. And be it enacted, That an Entry or Memorial of every such Assignment shall, within Six Months after the Execution thereof, if executed in *England*, or within Six Months after the Arrival thereof in *England*, if executed elsewhere (the Time of such Arrival to be verified by a Declaration made by some respectable Person before One of Her Majesty's Justices of the Peace, or before any Master Ordinary or Extraordinary in Chancery), be made in the Register by the Clerk of the Company in the same Manner as that of the original Grant; and for every such Entry or Memorial the Clerk shall receive such Sum, not exceeding Two Shillings and Sixpence, as the Company shall direct. Assignments to be registered.

CLXI. And be it enacted, That an Entry or Memorial of the Probate of every Will, by which the exclusive Right of Burial in any Vault, Catacomb, or Burial Place within the Cemetery shall be bequeathed, and in case there shall be any specific Disposition of such exclusive Right of Burial in the said Will, an Entry of such Disposition, shall, within Six Months after the Probate of such Will, be made in the said Register, in the same Manner as that of the original Grant; and for every such Entry or Memorial the Clerk of the Company shall be entitled to receive any Sum, not exceeding Two Shillings and Sixpence, as the Company shall direct. Probates of Wills to be registered.

CLXII. And be it enacted, That no Person shall be interred in any Vault, Catacomb, or Burial Place, the exclusive Right of Burial wherein shall have been granted by the Company, other than the Owner for the Time being of such exclusive Right of Burial and any other Person to whose Burial therein satisfactory Evidence shall be produced to the Company that such Owner has consented. Vaults to be kept exclusively for the Parties entitled.

CLXIII. And be it enacted, That it shall not be lawful to bury any Corpse within any Vault under any of the said Chapels unless the same shall be enclosed in a Coffin of Lead, or in Pitch of Half an Inch Thickness, between an interior and an exterior Coffin of Wood. Restriction on Burial in Vaults under the Chapels.

CLXIV. And be it enacted, That it shall be lawful for the Company to take down and remove any Monument, Cenotaph, Monumental Inscription, Gravestone, and other Erection which shall have been erected contrary to the Terms upon which Permission to erect the same was granted. Company may remove Monuments improperly erected.

CLXV. And be it enacted, That it shall be lawful for the Company to resume the Possession of any Vault, Catacomb, or other Burial Place on the Determination of the Interest of the Grantee of the exclusive Right of Burial therein: Provided always, that in case of such Resumption of Possession by the Company the Bodies which Company to resume Possession of Vaults on Expiration of Grants.

may have been interred in any such Vault, Catacomb, or Burial Place shall not be disturbed.

Burials to be registered.

CLXVI. And be it enacted, That all Burials in the consecrated Parts of the Cemetery shall be registered in Register Books to be provided by the Company, and kept for that Purpose by the Chaplain of the Company, according to the Laws in force for keeping Registers in *England*, and all Burials in the unconsecrated Part of the Cemetery shall be registered in like Manner by the Clerk of the Company; and such Register Books, or Copies or Extracts therefrom, shall be received in all Courts as Evidence of such Burials; and Copies or Transcripts thereof, signed by the Clerk of the Company, shall be from Time to Time transmitted to the Registrar of the Ecclesiastical Court of the Bishop of *London*, within the Time prescribed by Law, to be kept with the Copies of the other Register Books of the Parishes within his Diocese.

Registers to be subject to the Regulations of 6 & 7 W. 4. c. 86. as to Searches, &c.

CLXVII. Provided always, and be it enacted, That the said Register Books, so far as respects Searches to be made therein and Copies and Extracts to be taken therefrom, shall be subject to the same Regulations as are provided by an Act passed in the Session of the Sixth and Seventh Years of His late Majesty King *William* the Fourth, intituled *An Act for registering Births, Deaths, and Marriages in England*, so far as relates to Register Books of Burial kept by any Rector, Vicar, or Curate.

Chaplain to be appointed by the Company, with Consent of the Bishop.

CLXVIII. And be it enacted, That it shall be lawful for the Company from Time to Time, with the Consent of the Bishop of *London*, to appoint a Clergyman of the Established Church to officiate as Chaplain in the consecrated Part of the Cemetery; and such Chaplain shall be licensed by and be subject to the Jurisdiction of the said Bishop, and the said Bishop shall have Power to revoke any such Licence, and to remove such Chaplain, for any Cause which shall appear to the said Bishop to be reasonable.

Chaplain to perform Burial Service when required.

CLXIX. And be it enacted, That the Chaplain shall, unless prevented by Sickness or other reasonable Cause, perform, when required, the Burial Service within the consecrated Part of the Cemetery according to the Usage of the Established Church.

Other Clergymen to be allowed to officiate.

CLXX. And be it enacted, That it shall be lawful for any Clergyman of the Established Church, at the Request of the Executor of any deceased Person, or any other Person having the Charge of the Interment of any deceased Person, to perform the said Burial Service in the consecrated Part of the Cemetery.

Company to pay the Chaplain a Stipend approved by the Bishop.

CLXXI. And be it enacted, That the Company shall, out of the Monies to be received by virtue of this Act, allow to the Chaplain of the Cemetery for the Time being such a Stipend as shall be approved of by the Bishop of *London*; and such Salary or Stipend shall be payable on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in each Year by equal Portions; and if any

Chaplain

Chaplain shall resign or be removed in the Interval between the half-yearly Days of Payments, the Company shall pay to him or his personal Representatives a Part of the half-yearly Payment of the Stipend proportioned to the Time during which he shall have continued to be the Chaplain after the last Day of the Payment of the said Stipend, and the Remainder only of such half-yearly Payment shall be paid to the succeeding Chaplain.

CLXXII. And be it enacted, That if the Stipend of the said Chaplain, or any Part thereof, or any Apportionment thereof, shall not be paid to the Chaplain entitled to receive the same, or to the Executors or Administrators of a deceased Chaplain, for the Space of Thirty Days next after any of the Days of Payment whereon the same ought to be paid, it shall be lawful for such Chaplain, or his Executors or Administrators, to recover the same, with full Costs of Suit, against the Company, by Action of Debt or upon the Case, in any of the Superior Courts.

Stipend may be recovered by Action at Law.

CLXXIII. And be it enacted, That it shall be lawful for the Directors of the Company, with the Consent of the Chaplain for the Time being, from Time to Time to appoint a Clerk and Sexton to act in the consecrated Part of the Cemetery, and to remove such Clerk or Sexton at their Pleasure.

Appointment of Clerk and Sexton for consecrated Portion;

CLXXIV. And be it enacted, That it shall be lawful for the Directors from Time to Time to nominate and appoint a Clerk and Sexton in such Part of the Cemetery as shall not be consecrated, and to remove such last-mentioned Clerk or Sexton at their Pleasure.

and for unconsecrated Portion.

CLXXV. And be it enacted, That the Wages or Stipends of all such Clerks and Sextons shall from Time to Time be fixed by the Directors.

Wages of Clerks and Sextons.

CLXXVI. And be it enacted, That the Company shall, on the Interment of every Corpse within the consecrated Part of the Cemetery, pay to the Incumbents of the neighbouring Parishes or Ecclesiastical District from which such Corpse shall have been removed for Interment for the Time being; that is to say, from the Parishes of *Stepney* or *Bromley*, or from any other Parish in the County of *Middlesex* or *Essex* abutting thereon, the Parish of *Saint Leonard Shoreditch*, or from any Parish in the City of *London*, the Sums following; (that is to say,)

Fees to be paid to the Incumbents of the Parishes from which Bodies are brought.

For every Corpse interred in a Vault, Catacomb, or Brick Grave the Sum of Seven Shillings and Sixpence:

For every other Corpse (except as next hereafter mentioned) the Sum of Two Shillings and Sixpence; and for every Corpse interred at the Expence of any Union established for the Relief of the Poor in the several Parishes or Ecclesiastical Districts aforesaid, or at the Expence of any such Parishes or Ecclesiastical Districts, such Sum, not exceeding One Shilling, for every such Corpse, as may be agreed upon between the Bishop of *London* and the Directors respectively for the Time being.

CLXXVII. And

Portion of
Ground to be
set apart for
parochial
Poor.

CLXXVII. And be it enacted, That Part of the consecrated Ground of the Cemetery shall be set apart for the Burial of such Poor as last aforesaid.

Restriction
against Re-
moval of
Bodies.

CLXXVIII. And be it enacted, That no Corpse interred in the consecrated Ground of the Cemetery shall be removed without the like Authority as by Law required for the Removal of any Corpse interred in the Churchyard belonging to a Parish Church.

Consecrated
Ground to be
separated
from the un-
consecrated.

CLXXIX. And be it enacted, That such distinctive Mark or Separation (to prevent any Doubt or Difficulty hereafter as to Boundaries) shall be made between the consecrated and unconsecrated Portions of the Cemetery as may be required by the Bishop of London for the Time being.

The Bishop
may conse-
crate the
whole of the
Ground if it
be desired.

CLXXX. And be it enacted, That, notwithstanding any thing herein contained, it shall be lawful for the Bishop of London for the Time being, if the same shall be deemed expedient by the Directors for the Time being, to consecrate the whole of the Cemetery, subject nevertheless to the Provisions herein contained in relation to the consecrated Portion of the Cemetery.

Account of
the Inter-
ments to be
kept.

CLXXXI. And be it enacted, That for the Purpose of ascertaining the Amount of Fees payable to the Incumbents of the several Parishes or Ecclesiastical Districts aforesaid, the Company shall cause Books to be kept and Entries to be made therein of the Names of all Persons interred within the consecrated Part of the Cemetery, and the Names of the Parishes or Ecclesiastical Districts from which such Persons respectively shall have been removed, and the Mode of their Interment within the said Cemetery (distinguishing whether in a Vault, Catacomb, or Brick Grave, or in the open Ground), together with the Date of such Interment, and such Books shall be at all seasonable Times open to the Inspection of the Incumbents for the Time being of the said several Parish or Ecclesiastical Districts, or any Person employed by them, without Fee or Reward.

Account of
Fees to be
rendered
half-yearly
by the Com-
pany.

CLXXXII. And be it enacted, That the Company shall, on the Twenty-fifth Day of *March* in each Year, or within One Month afterwards, deliver to the Person who shall have been the Incumbent of any Parish or Ecclesiastical District on that Day, or to his Executors or Administrators, on Demand, an Account of the Fees which shall be payable in respect of Persons removed for Burial from such Parish or Ecclesiastical District, between the said Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* preceding, and the Company shall, on the Twenty-ninth Day of *September* in each Year, or within One Month afterwards, deliver to the Person who shall have been the Incumbent of any such Parish or Ecclesiastical District on that Day, or to his Executors or Administrators, on Demand, an Account of the Fees which shall be payable in respect of Persons removed for Burial from such Parish or Ecclesiastical District between such

such Twenty-ninth Day of *September* and the Twenty-fifth Day of *March* preceding.

CLXXXIII. And be it enacted, That the Fees payable by virtue of this Act shall be paid half-yearly, on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September*, or within One Month afterwards, to the Persons who shall be the Incumbents of the Parishes or Ecclesiastical Districts in respect of which the same are payable, on such Twenty-fifth Day of *March* and Twenty-ninth Day of *September*, or to the Executors or Administrators of such Incumbents; that is to say, such Fees as shall accrue between the Twenty-ninth Day of *September* and the Twenty-fifth Day of *March* following shall be paid to the Person who shall be the Incumbent on the Twenty-fifth Day of *March*, and such Fees as shall accrue between the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* following to the Person who shall be the Incumbent on the Twenty-ninth Day of *September*; and if any such Fees shall not be paid to the Party entitled to receive the same within the Period herein-before limited for the Payment thereof, it shall be lawful for such Party to recover the same, by Action of Debt or on the Case, in any of the Superior Courts.

Fees to be paid half-yearly.

CLXXXIV. And be it enacted, That if any Incumbent of any Parish or District, in respect of which Fees are payable by the Company by virtue of this Act, shall cease to be Incumbent, by Cession, Death, or otherwise, between the said Two half-yearly Days, such Incumbent shall be entitled to receive so much of the Sum payable at the half-yearly Day which shall happen next after he shall cease to be Incumbent as shall have accrued from the last preceding half-yearly Day, or from the Time when such Incumbent became first entitled to receive the Fruits of his Living, as the Case may require, up to the Day at which he ceased to be Incumbent; and the Incumbent of any Parish or District who shall receive from the Company any Sum to a Part of which any preceding Incumbent shall be entitled under the Provisions herein contained shall pay such Part to him, his Executors or Administrators, accordingly; and the Company shall not be answerable to any Person, other than the actual Incumbent for the Time being, for the Payment of any Fees or Arrears of Fees by virtue of this Act.

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

CLXXXV. And be it enacted, That before any such Incumbent as aforesaid shall be entitled to receive the Fees payable to him by the said Company by virtue of this Act, it shall be lawful for the said Company to require, and they shall be entitled to receive, satisfactory Evidence that the Person claiming such Fees is actually the Incumbent of the Parish in respect of which the Fees are claimed, as the Case may be.

Evidence of proper Claim to Fees may be required and received.

CLXXXVI. And in order to make Compensation to the Parishioners of the Parish wherein the Cemetery shall be situate for any Loss which such Parishioners may sustain on account of the said Hereditaments and Premises purchased or to be purchased being formed into such Cemetery, be it therefore enacted, That the said

Providing for Payment of Rates.

[Local.]

15 I

Company

Company shall pay or cause to be paid to the senior Churchwarden for the Time being of the Parish or Parishes wherein the said Cemetery shall be situate, for the Use of the Parishioners of the said Parish or Parishes respectively, a clear Rent-charge or annual Sum equal to the aggregate Amount of all parochial Taxes, Rates, and Assessments charged upon and paid in respect of the Ground, Hereditaments, and Premises for the Year immediately preceding the Conversion of such Ground, Hereditaments, and Premises into a Cemetery, which said Rent-charge or annual Sum shall be paid, by even and equal half-yearly Payments, on the Twenty-fourth Day of *June* and the Twenty-fifth Day of *December* in every Year for ever, the first Payment thereof to be made on such of the said Days as shall happen next after the passing of this Act.

The Chapels and other Buildings exempted from all parochial and other Taxes, &c.

CLXXXVII. And be it enacted, That such Cemetery, and the several Chapels and other Buildings erected and to be erected thereon, and the Vaults, Graves, Catacombs, and Places of Burial made or to be made therein, shall, from and after the passing of this Act, be freed, exempted, and discharged of and from the Payment of all and all Manner of Parochial Taxes, Rates, and Assessments to any Parish or Place whatsoever, otherwise than as aforesaid.

Penalty for damaging the Cemetery.

CLXXXVIII. And be it enacted, That if any Person shall wilfully destroy, deface, or injure any Building, Wall, or Fence of or belonging to the Cemetery, or any Part of the same, or any Bank, Tree, or Plant therein, or shall daub or disfigure any Wall thereof, or play at Ball or Fives against or affix any Bill to the same, or wilfully destroy, injure, or deface any Monument, Tablet, Inscription, or Gravestone within the Cemetery, he shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Penalty for Nuisance in the Cemetery.

CLXXXIX. And be it enacted, That if any Person shall play at any Game or Sport, or discharge Fire-arms, other than at a Military Funeral, in the said Cemetery, or shall make any Noise to the Disturbance of any Persons assembled in the said Cemetery for the Purpose of interring any Corpse therein, or commit any Nuisance within the said Cemetery or any Part thereof, or in any Colonnade, Vault, or Building therein, any such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Provision for Damages not otherwise provided for.

CXC. And be it enacted, That in all Cases where any Damages or Charges are by this Act directed or authorized to be paid, and the Method of ascertaining the Amount thereof is not provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by One or more Justices; and when by this Act any Damage or Charges are directed to be paid in addition to the Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute concerning the same, shall be determined by the Justice or Justices by whom the Offender shall be convicted of such Offence; and on Nonpayment of the Damages or Charges in any of the Cases aforesaid, on Demand, the same shall be levied by Distress, and such Justices shall issue their Warrant accordingly.

CXCI. And be it enacted, That where in this Act any Question of Compensation or Damages is referred to the Determination of any Justice, it shall be lawful for such Justice to examine the Parties to such Question and their Witnesses on Oath, and to administer the Oaths necessary for that Purpose; and the Costs of every such Inquiry shall be in the Discretion of such Justice; and if either Party to any such Question fail to appear at the Time and Place appointed by the Justice for going into any such Question, without reasonable Excuse to the Satisfaction of such Justice, due Notice of such Appointment having been given to such defaulting Party, it shall be lawful for such Justice to proceed *ex parte*.

Justices to
examine
Parties and
Witnesses.

CXCII. And with respect to any Sum of Money under the Provisions of this Act adjudged by any Justice to be paid by the Company for which no other Mode of Proceeding is provided by this Act, be it enacted, That if such Money be not paid by the Company to the Party entitled to receive the same within Thirty Days after Demand thereof in Writing, stating the Order of the Justice for the Payment of such Money, the Amount may be recovered by Distress, and the Justice by whom such Sum of Money shall have been ordered to be paid, or any other Justice, on Application, shall issue his Warrant accordingly; and if sufficient Goods or Effects of the Company cannot be found whereon to levy such Sum of Money, the same may be recovered by Distress of the Goods of the Treasurer of the Company, and the Justice aforesaid, or any other Justice, on Application, shall issue his Warrant accordingly; but no such Distress shall issue against the Goods of such Treasurer, unless Seven Days previous Notice in Writing, stating the Amount so due, and demanding Payment thereof, have been given to such Treasurer, or left at his Residence.

Distress
against the
Company.

Distress
against the
Treasurer.

CXCIII. And be it enacted, That if such Treasurer pay any Money under any such Distress as aforesaid he may retain the Amount so paid by him, and all Costs and Expences occasioned thereby, out of any Money belonging to the Company coming into his Custody or Control, or he may sue for the same against the Company by Process of Law.

Reimburse-
ment of
Treasurer.

CXCIV. And for the Purpose of providing for the due Publication of all Penalties and Forfeitures exigible under this Act, be it enacted, That from Time to Time the Company shall publish the short Particulars of the several Offences for which any such Penalty is imposed by this Act, and of the Amount of every such Penalty, and shall cause such Particulars to be painted on a Board, or printed upon Paper and pasted thereon, and shall cause such Board to be hung up or affixed on some conspicuous Part of the principal Place of Business of the Company, and where any such Penalties are of local Application shall cause such Boards to be affixed in some conspicuous Place in the immediate Neighbourhood to which such Penalties are applicable or have reference; and such Particulars shall be renewed as often as the same, or any Part thereof, is obliterated or destroyed; and no such Penalty shall be recoverable unless it shall have been published, and kept published, in the Manner herein-

Publication
of Penalties.

herein-before required: Provided nevertheless, in all Cases of Prosecution it shall be sufficient to prove that a printed Paper or painted Board containing such Particulars, hath been affixed and published in manner aforesaid, and, in case of its being afterwards displaced or damaged, hath been replaced by another as soon as conveniently might be.

Defacing
Boards put
up for Pub-
lication of
such Penal-
ties.

CXCV. And be it enacted, That if any Person pull down or break or deface any such Board put up or affixed as required by this Act, for the Purpose of publishing any Bye Law or Penalty, or shall obliterate any of the Letters or Figures thereon, he shall forfeit for every such Offence a Sum not exceeding Five Pounds, and he shall also defray the Expences attending the Restoration of such Board, with the Notice thereon, and such Expences shall be recoverable as any Penalty by this Act imposed may be recovered.

Penalties to
be summarily
recovered
before a
Justice.

CXCVI. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by this Act the Recovery of which is not otherwise provided for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding, upon Complaint made before One or more Justices; and on the Complaint being made to any such Justice, he shall issue a Summons requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Summons; and every such Summons shall be served on the offending Party, either in Person or by leaving the same with some Inmate at his usual Place of Abode; and either upon the Appearance, or upon the Default to appear of the Party offending, it shall be lawful for any One or more Justices to proceed to the Hearing of the Complaint, and that although no Information in Writing or in Print shall have been exhibited before them; and upon Proof of the Offence, either by Confession of the Party complained against, or upon Oath of One credible Witness or more, it shall be lawful for any One or more Justices to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Costs attending the Conviction, as such Justices shall think fit.

Penalties to
be levied by
Distress.

CXCVII. And be it enacted, That if forthwith upon any such Adjudication as aforesaid the Amount of the Penalty or Forfeiture, and of such Costs as aforesaid, be not paid, the Amount of such Penalty and Costs, together with the Costs of the Distress, shall be levied by Distress, and any One or more Justices shall issue their Warrant of Distress accordingly.

Imprison-
ment in
Default of
Distress.

CXCVIII. And be it enacted, That it shall be lawful for the Justice to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture and Costs, unless the Offender give sufficient Security, by the Way of Recognizance or otherwise, to the Satisfaction of the Justice, for his Appearance before them on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if before issuing such Warrant
of

of Distress it shall appear to the Justice, by the Admission of the Offender or otherwise, that no sufficient Distress can be had whereon to levy such Penalty or Forfeiture and Costs, he may, if he thinks fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justice, then such Justice shall, by Warrant, cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture and Costs be sooner paid and satisfied.

CXCIX. And with respect to the Application of any Penalties or Forfeitures recovered by virtue of this Act the Application whereof is not herein otherwise provided for, be it enacted, That the Justices by whom any such Penalty or Forfeiture shall be imposed shall award one Half thereof to the Company, and the other Half thereof to the Informer or any Person suing for the same; or, if the Company be the offending Party, shall award one Half thereof to the Informer, and the other Half to the Overseers of the Poor of the Parish in which the Offence shall have been committed, for the Benefit of the Poor of such Parish.

Application
of Penalties.

CC. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act, for any Offence herein-before made cognizable before a Justice, unless the Complaint respecting such Offence shall have been made before such Justice within Six Months next after the Commission of such Offence.

Penalties to
be sued for
within Six
Months.

CCI. And be it enacted, That it shall be lawful for any Justice to summon any Person or Persons to give Evidence before him, under the Provisions of this Act, in any Matter or Thing over which he shall have Jurisdiction by this Act; and if any Person who shall be summoned as a Witness before any Justice touching any Offence committed against this Act, or any Bye Law made by virtue thereof, shall, without reasonable Excuse, refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expences, or if any Person appearing shall refuse to be examined upon Oath, or to give Evidence before such Justice, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Penalty on
Witnesses
making
Default.

CCII. And be it enacted, That if any Witness who shall be examined by or before any Justice of the Peace, or otherwise, under the Authority of this Act, shall wilfully and corruptly give false Evidence, and shall be thereof convicted, such Person so giving false Evidence shall be subject to the same Punishment as Persons convicted of wilful and corrupt Perjury are by Law subject or liable to.

Persons giv-
ing false Evi-
dence subject
to Punish-
ment for
Perjury.

CCIII. And be it enacted, That where in this Act a Declaration is directed to be used for the Purpose of Confirmation of written Instruments or Allegations, or of the Execution of Deeds or other Matters, the same shall be made in the Form prescribed in the

Persons
making false
Declaration
to be guilty
of a Misdemeanor.

5 & 6 W. 4.
c. 62.

Schedule to an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof; and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits,' and to make other Provisions for the Abolition of unnecessary Oaths, or as near thereto as the Circumstances of the Case will admit, and shall be of the like Force and Effect as if an Affidavit or Affirmation in Writing had been made; and if any Declaration so made shall be false or untrue in any material Particular, the Person wilfully making such false Declaration shall be guilty of a Misdemeanor.*

Transient
Offenders.

CCIV. And with respect to Offenders whose Names and Residences are not known, be it enacted, That any Officer or Agent of the Company, and all Persons called by him to his Assistance, may seize and detain any Person who shall have committed any Offence against the Provisions of this Act, and whose Name and Residence shall be unknown to such Officer or Agent, and may convey him with all convenient Despatch before some Justice, without any Warrant or other Authority than this Act; and such Justice shall proceed with all convenient Despatch to the hearing and determining of the Complaint against such Offender.

Form of
Conviction.

CCV. And be it enacted, That the Justices before whom any Person shall be convicted of any Offence against this Act, may cause the Information (whenever an Information shall be taken in Writing or in Print) and the Conviction and Warrant of Distress respectively to be drawn up according to the Forms in the Schedule (G.) to this Act annexed, or in any other Form to the same Effect, as the Case may require.

Informalities.

CCVI. And be it enacted, That no Proceeding in pursuance of this Act shall be quashed or vacated for Want of Form, nor shall the same be removed by Certiorari or otherwise into any of the Superior Courts.

Distress how
to be levied.

CCVII. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money, and the Expences of Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained.

Distress not
unlawful for
Want of
Form.

CCVIII. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him,

but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

CCIX. And be it enacted, That if any Person shall think himself aggrieved by any Determination or Adjudication of any Justice under the Provisions of this Act, he may appeal to the General Quarter Sessions for the County in which the Cause of Appeal shall have arisen; but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Determination or Adjudication, and unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought; and unless the Appellant forthwith, after such Notice, enter into Recognizances with Two sufficient Sureties before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Parties may appeal to Quarter Sessions on giving Security.

CCX. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid by the Appellant or levied by Distress upon his Goods to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable; and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

Court to make such Order as they think reasonable.

CCXI. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Interpretation of Words and Expressions.

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender shall include Females:

The Word "Month" shall mean Calendar Month:

The Word "Person" shall include Corporations, whether Aggregate or Sole.

The Word "Oath" shall include Affirmation in case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in case of any other Persons exempted by Law from the Necessity of taking an Oath:

The Word "Secretary" shall include the Word "Clerk":

The Word "Justices" shall mean Justices of the Peace acting within the Limits of this Act, and not interested in the Matters in Question:

The Expression "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Westminster*:

The Expression "the Established Church" shall mean the United Church of *England* and *Ireland* as by Law established:

The

The Expressions "the Cemetery," "the Company," and "the Directors," shall mean respectively the Cemetery, Company, and Directors constituted by virtue of this Act.

Public Act. CCXII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Form of Certificate of Share.

City of London and Tower Hamlets Cemetery Company.

Number

THIS is to certify, That *A. B.* of _____ is the Proprietor of the Share [*or Shares*] Number _____ of "The City of London and Tower Hamlets Cemetery Company," subject to the Regulations of the said Company. Given under the Common Seal of the said Company the _____ Day of _____ in the Year of our Lord _____

SCHEDULE (B.)

Form of Transfer of Shares.

I _____ of _____ in consideration of the Sum of _____ paid to me by _____ of _____ do hereby transfer the said _____ Share [*or Shares*] Number _____ in the Undertaking called "The City of London and Tower Hamlets Cemetery Company," to hold unto the said _____ his Ex-ecutors, Administrators, and Assigns [*or Successors and Assigns*], subject to the several Conditions on which I held the same at the Time of the Execution thereof. And I the said _____ do hereby agree to take the said Share [*or Shares*] subject to the said Conditions. As witness our Hands and Seals the _____ Day of _____ of _____

SCHE-

SCHEDULE (C.)

Form of Mortgage Deed.

The City of London and Tower Hamlets Cemetery Company.

Mortgage, Number

By virtue of an Act passed, &c., intituled, &c., we, "The City of London and Tower Hamlets Cemetery Company," in consideration of the Sum of Pounds paid to us by *A. B.* of do assign unto the said *A. B.*, his Executors, Administrators, and Assigns, the said Undertaking and [*in case such Loan shall be in anticipation of the Capital authorized to be raised*] all future Calls on Shareholders, and all the Sums of Money arising by virtue of the said Act, and all the Estate, Right, Title, and Interest of the Company in the same, to hold unto the said *A. B.*, his Executors, Administrators, and Assigns, until the said Sum of Pounds, together with Interest for the same at the Rate of for every One hundred Pounds by the Year, be satisfied [the Principal Sum to be repaid at the End of Years from the Date hereof, *in case any Period shall be agreed upon for that Purpose*]. Given under our Common Seal this Day of in the Year of our Lord

SCHEDULE (D.)

Form of Bond.

The City of London and Tower Hamlets Cemetery Company.

Bond, Number

By virtue of an Act passed, &c., we, "The City of London and Tower Hamlets Cemetery Company," in consideration of the Sum of Pounds to us in, and paid by *A. B.* of do bind ourselves and our Successors unto the said *A. B.*, his Executors, Administrators, and Assigns, in the penal Sum of Pounds.

The Condition of the above Obligation is such, That if the said Company shall pay to the said *A. B.*, his Executors, Administrators, or Assigns, on the Day of which will be in the Year One thousand eight hundred and the Principal Sum of Pounds, together with Interest for the same at the Rate of Pounds per Centum per Annum, payable half-yearly, on the Day of and the Day of then the above-written Obligation is to become void, otherwise to remain in full Force. Given under our Common Seal this Day of One thousand eight hundred and

SCHEDULE (E.)

Form of Transfer of Mortgage or Bond.

I *A. B.* of _____ in consideration of the Sum of _____
 paid to me by *G. H.* of _____ do hereby transfer to the said
G. H., his Executors, Administrators, and Assigns, a certain Bond
 [*or Mortgage*], Number _____ made by "The City of London and
 Tower Hamlets Cemetery Company" to _____ bearing Date the
 _____ Day of _____ for securing the Sum of _____
 and _____ Interest, [*or, if such Transfer be by Endorsement, the*
 within Security,] and all my Right, Estate, and Interest in and to
 the Money thereby secured [*and if the Transfer be a Mortgage, and*
 in and to the Money and Property thereby assigned.] In witness
 whereof I have hereunto set my Hand and Seal, this _____ Day
 of _____ One thousand eight hundred and _____

SCHEDULE (F.)

Form of Proxy.

I *A. B.* of _____ of _____ One of the Proprietors of "The
 City of London and Tower Hamlets Cemetery Company," doth
 hereby appoint *C. D.* of _____ to be the Proxy of the said *A. B.*, in
 his Absence to vote in his Name upon any Matter relating to the
 Undertaking proposed at the Meeting of the Proprietors of the said
 Company to be held on the _____ Day of _____ next, in
 such Manner as he the said *C. D.* doth think proper. In witness
 whereof the said *A. B.* hath hereunto set his Hand [*or, if a Corpo-*
ration, say the Common Seal of the Corporation] the _____ Day
 of _____ One thousand eight hundred and _____

SCHEDULE (G.)

Form of Information.

to wit. } BE it remembered, That on the _____ Day of
 and *E. F.*, Two] of Her Majesty's Justices of the Peace for
 that _____ of _____ [*here describe the Offence, and*
the Time and Place when and where committed], contrary to an Act
 passed in the _____ Year of the Reign of Her Majesty Queen
 Victoria, intituled [*insert the Title of the Act*], which hath imposed a
 Forfeiture of _____ for the said Offence. Taken the _____
 Day of _____ before me *C. D.* [*or us C. D. and E. F.*]

Form

Form of Conviction.

to wit. } BE it remembered, That on the Day of in
 the Year of our Lord One thousand eight hundred and
A. B. is convicted before me *C. D.* [*or us C. D. and E. F.*
 Two] of Her Majesty's Justices of the Peace for the County of
 for that the said *A. B.*, after the passing of a certain Act
 of Parliament made and passed in the Year of the Reign
 of Her Majesty Queen Victoria, intituled [*here insert the Title of this*
Act], on the Day of in the Year
 at the Parish of [*here state the Offence*], for which Offence
 I [*or we*] do adjudge the said *A. B.* to have forfeited [*if the Offence*
be subject to a Fine] the Sum of [*insert the Penalty*], together with
 the Sum of for Costs [*if any given, or if to be imprisoned,*
then do adjudge the said A. B. to be committed to the [naming the
Gaol] for the Space of [*insert the Time*], [*and if the Commitment be*
for Nonpayment of a Penalty, then add, unless the said Sum of
 shall be sooner paid]. Given under my Hand and Seal
 [*or our Hands and Seals*] the Day and Year first above written.
C. D. [*or C. D. and E. F.*]

Form of Warrant of Distraint for Penalty or Forfeiture.

to wit. } To the Constables, Beadles, and other Peace Officers of
 the Parish of in the County of

WHEREAS *A. B.* of in the County of
 was this Day convicted before me *C. D.*,
 One [*or us C. D. and E. F.*, Two] of Her Majesty's Justices of
 the Peace for the said County, by virtue of an Act passed in the
 Year of the Reign of Her Majesty Queen Victoria,
 intituled [*here insert the Title of this Act*], for that he the said *A. B.*
 did [*here state the Offence, with the Time and Place,*] and I [*or we*]
 have therefore adjudged the said *A. B.* to have forfeited the Sum of
 [*insert Forfeiture*], together with the Sum of for
 Costs [*if any given*], which said Sum of the said
A. B. hath refused to pay; These are therefore in Her Majesty's
 Name to command you, or any or either of you, forthwith to levy the
 said Sum of by Distress and
 Sale of the Goods and Chattels of the said *A. B.*, such Goods and
 Chattels being kept before the same are sold until the Seventh Day
 after such Distress shall be made, including the Day on which it shall
 be made, and the Day of such Distress (and if such Seventh Day
 shall happen to be on a Sunday, then such Sale shall be on the next
 or following Day); and, out of the Money arising by such Sale, that
 you do pay [*here state the Manner in which the Forfeiture is to be*
applied], returning the Overplus (if any), on Demand, to the said
A. B., the reasonable Charges of such Distress, and of any Removal,
 keeping

keeping Possession, Appraisalment, and Sale, being first deducted; and if sufficient Distress cannot be found, or had or taken, then that you certify the same to me [or us], to the end that such further Proceedings may be had therein as to the Law doth appertain: And I [or we] do hereby strictly charge and command all and singular the Constables and other Her Majesty's Peace Officers, within their respective Jurisdictions and Liberties, to be aiding and assisting in all things relating to the Premises. Given under my Hand and Seal [or our Hands and Seals] this _____ Day of _____

in the Year of our Lord

C.D.

[or C.D. and E.F.]

SCHEDULE (H.)

Form of Conveyance.

I _____ of _____ in consideration of the Sum of _____ paid to me [or, as the Case may be, into the Bank of England], in the Name and with the Privity of the Accountant General of the Court of Exchequer, ex parte "The City of London and Tower Hamlets Cemetery Company," [or to A.B. of _____ and C.D. of _____ Two Trustees appointed to receive the same] pursuant to an Act passed, &c., intituled, &c., by the [here name the Company] incorporated by the said Act, do hereby convey to the said Company, their Successors and Assigns, all [describing the Premises to be conveyed], together with all Ways, Rights, and Appurtenances thereto belonging, and all such Estate, Right, Title, and Interest in and to the same as I am or shall become seised or possessed of, or am by the said Act empowered to convey, to hold the Premises to the said Company, their Successors and Assigns for ever, according to the true Intent and Meaning of the said Act. In witness whereof I have hereunto set my Hand and Seal the _____ Day of _____ in the Year of our Lord _____

SCHEDULE (I.)

Form of Conveyance on Chief Rent.

I _____ of _____ in consideration of the Rent-charge to be paid to me, my Heirs and Assigns, as herein-after mentioned, by "The City of London and Tower Hamlets Cemetery Company," established and incorporated by virtue of an Act passed, &c., intituled, &c.; do hereby convey to the said Company, their Successors and Assigns, all [describing the Premises to be conveyed], together with all Ways, Rights, and Appurtenances thereunto belonging, and all my Estate, Right, Title, and Interest in _____ and _____

and to the same and every Part thereof, to hold the said Premises to the said Company, their Successors and Assigns for ever, according to the true Intent and Meaning of the said Act, they the said Company, their Successors and Assigns, yielding and paying unto me, my Heirs and Assigns, One clear yearly Rent of by equal quarterly [*or half-yearly, as agreed upon,*] Portions henceforth on the [*stating the Days*], clear of all Taxes and Deductions. In witness whereof I have hereunto set my Hand and Seal this

Day of _____ in the Year of our

Lord

SCHEDULE (J.)

Form of Grant or Right of Burial, &c.

The City of London and Tower Hamlets Cemetery Company.

By virtue of an Act passed, &c., intituled, &c., we, "The City of London and Tower Hamlets Cemetery Company," in consideration of the Sum of _____ to us paid by *A.B.* of _____ do hereby grant and convey unto the said *A.B.* the exclusive Right of Burial and Interment [*or, as the Case may be, the Right and Privileges of erecting and making, and the exclusive Right of Burial when made,*] in all [*here describe the Vault, Catacomb, or Place of Burial, or the Ground intended for the Construction of a Vault, Catacomb, or Place of Burial, or for the Erection of a Monument or Gravestone (as the Case may be) so as to identify the same*], to hold the same to the said *A.B.* in perpetuity [*or for the Period agreed upon*] for the Purpose of Burial [*or as the Case may be*].

Given under our Common Seal this _____ Day of _____ in the Year of our Lord _____

SCHEDULE (K.)

Form of Assignment of Right of Burial, &c.

The City of London and Tower Hamlets Cemetery Company.

I *A.B.* of _____ in consideration of the Sum of _____ paid to me by *C.D.* of _____ do hereby assign unto the said *C.D.* the exclusive Right of Burial or Interment in all [*here describe the Vault, Catacomb, or Burial Place*], which was granted to me [*or unto A.B. of _____*] in perpetuity [*or as the Case may be*] by "The City of London and Tower Hamlets Cemetery Company," by a Deed bearing Date the _____ Day of _____ and all my

[*Local.*] [15 M] my

my Estate, Title, and Interest therein, to hold the same unto the said *C.D.*, his Executors, Administrators, and Assigns, in perpetuity, [*or, as the Case may be, for the Remainder of the Period for which the same was granted by the said Company*], subject to the same Conditions as I held the same immediately before the Execution hereof.

Witness my Hand and Seal this Day of .

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