



ANNO SECUNDO & TERTIO

GULIELMI IV. REGIS.

Cap. cx.

An Act for establishing a General Cemetery for the Interment of the Dead in the Neighbourhood of the Metropolis. [11th July 1832.]

WHEREAS the Cemeteries or Burial Grounds within the Cities of *London* and *Westminster* and the Suburbs thereof are of very limited Extent, and, having been long in use, are so occupied and filled with Graves and Vaults as to be altogether insufficient for the increased and increasing Population of the Metropolis: And whereas it would be of great public Advantage if a General Cemetery, on an extensive Scale, were established in an open Situation adjacent to the Metropolis, for the Interment of the Dead, under certain Regulations and Restrictions: And whereas the several Persons herein-after named are willing, at their own Costs and Charges, to establish such Cemetery, with suitable Chapels, Offices, and Buildings; but the same cannot be done without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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 the Honourable *Charles William Wentworth Fitzwilliam* commonly called Viscount *Milton*, the Honourable *Henry John Chetwynde Talbot* commonly called Viscount *Ingestre*, Sir *Robert Price* Baronet, Sir *John Dean Paul* Baronet, the Honourable *William Booth Grey*, Sir *Henry Pynn*

Company
incorporated.

[Local.]

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Pynn

Pynn, George Neville Adams, John Atkins, George Frederick Carden, Robert Walter Carden, John Sherring Clark, Edward Foss, Thomas Gaspey, John Griffith, Andrew Macklew, James Kyrle Money, George Robert Paul, Henry Ansley Purchas, Augustus Pugin, Robert William Sievier, Andrew Spottiswoode, Robert Walpole, and Thomas Wilson, and all other Persons and Bodies Politic and Corporate who have subscribed or who shall hereafter become Subscribers to the said Undertaking, and their several and respective Successors and Assigns, shall be and they are hereby united into a Company for making and maintaining the said Cemetery and other the Works by this Act authorized, according to the Provisions and Restrictions herein-after mentioned, and for that Purpose shall be one Body Corporate by the Name and Style of "The General Cemetery Company," and by that Name shall have perpetual Succession and shall have a Common Seal, and by that Name shall and may sue and be sued, and also shall have Power and Authority 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 of the Penalties or Forfeitures of the Statutes of Mortmain, and shall also have Power to sell and dispose of such of the said Lands and Hereditaments as may not have been used for the Purposes of this Act in manner by this Act directed.

Company
empowered
to purchase
Premises for
the Purposes
of this Act.

II. And be it further enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, from Time to Time, to treat, contract, and agree with the respective Owners of and all other Persons interested in any Buildings, Land or Ground, Hereditaments and Premises necessary or convenient for the Purposes of this Act, and who shall be willing to sell the same, or his, her, or their Right or Interest in the same, for the Purchase thereof, or of any Part thereof, not exceeding in the Whole Eighty Acres, for the Uses or Purposes of this Act, and to pay or cause to be paid such Sum or Sums of Money as shall be agreed upon between such Owners or other Persons interested as aforesaid and the said Company; and upon Payment of the Purchase Money for any such Buildings, Land or Ground, Hereditaments and Premises as aforesaid, to the Parties or Persons respectively entitled thereto, and upon the Conveyance by them of the said Buildings, Land and Ground, Hereditaments and Premises, or of their Right or Interest in the same, unto the said Company, it shall be lawful for the said Company, their Surveyors, Workmen, or Agents, at any Time thereafter to enter upon and take Possession of the said Buildings, Lands, Grounds, Hereditaments, and Premises, for the Purposes of this Act; and from thenceforth all Parties and Persons whatsoever shall be divested of all Right and Title, Claim and Reversion, to such Houses, Buildings, Land or Ground, Hereditaments and Premises.

Exception
as to Parish
of St. Pan-
cras.

III. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Company to contract for or purchase Lands or Hereditaments in the Parish of *Saint Pancras* in the County of *Middlesex*, for the Purposes of this Act.

IV. And

IV. And whereas by means of the Purchases which the said Company are empowered to make by virtue of this Act they may happen to be seised of more Lands, Tenements, or Hereditaments than will be necessary for the Purposes of this Act, or of Lands, Tenements, or Hereditaments not wanted or not applicable to the Purposes hereof; be it therefore enacted, That it shall be lawful for the said Company to sell such Lands, Tenements, or Hereditaments, or any Part thereof, either together or in Parcels, by public Auction or private Contract, as they shall deem most advantageous, to such Persons as shall be willing to purchase the same, and by any Deed under their Common Seal to convey the same to the Purchaser or Purchasers thereof, and again from Time to Time to contract for the Purchase of any other Lands, Tenements, or Hereditaments which the Company shall deem more eligible for the Purposes of this Act, and afterwards to sell and dispose of the same as aforesaid, and so from Time to Time as the said Company shall think proper, so that the total Number or Quantity of Acres so to be purchased and held by the said Company for any of the Purposes of this Act shall not exceed at any One Time Eighty Acres; and such Conveyances from the said Company shall be valid and effectual, any thing in this Act contained, or any other Law, Statute, or Custom, to the contrary notwithstanding.

Enabling Company to sell Lands not wanted.

V. Provided always, and be it further enacted, That it shall not be lawful for the said Company, under the Authority of the Provision herein-before contained, to sell or dispose of any Land which shall have been consecrated and set apart for the Burial of the dead.

Not to sell Land which may have been consecrated.

VI. And be it further enacted, That upon Payment of the Money which shall arise from the Sale of any Lands, Tenements, or Hereditaments authorized by this Act to be sold by the said Company, or upon Payment of any Money under this Act, it shall be lawful for the Treasurer for the Time being to the said Company to sign and give Receipts for the Money so paid; which Receipts shall be sufficient Discharges to all Persons for the Purchase Money for such Lands, Tenements, or Hereditaments, or Interests, as shall be sold, or for so much thereof and for such Sums of Money as in such Receipts respectively shall be expressed to be received; and such Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application of such Purchase Money or other Monies, or any Part thereof.

Treasurer, upon Payment of Money, to give Receipts, which shall be a sufficient Indemnity.

VII. And be it further enacted, That in all Conveyances to be made by the said Company under or in pursuance of this Act the Word "grant" shall operate as and be construed and adjudged in all Courts of Judicature to be express Covenants with the Grantees in such Conveyances, and the Successors, Heirs, Executors, Administrators, and Assigns of such Grantees, according to the Quality or Nature of the Estate or Interest comprised in such Conveyances by or from the said Company, for themselves and their Successors, that they the said Company, notwithstanding any Act or Default done by them, were at the Time of the Execution of such Conveyances seised or possessed of the Lands, Tenements, and Hereditaments, or

The Word "grant" in Conveyances from the Company to amount to certain Covenants.

Premises

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 may be thereby granted, free from Incumbrances done or occasioned by them, that the Purchaser or Purchasers thereof, his, her, or their Heirs and Assigns, Successors and Assigns; or Executors, Administrators, and Assigns, (as the Case may be,) shall quietly enjoy the same against the said Company, their Successors, and all claiming under them, and be indemnified and saved harmless by the said Company and their Successors from all Incumbrances committed by the said Company, and also for further Assurance of such Hereditaments and Premises by the said Company, their Successors, and all claiming under them, unless except and so far as the same shall be restrained and limited by express particular Words contained in such Conveyances; and such Grantees, and their several Successors, Heirs, Executors, Administrators, and Assigns respectively, according to the Quality or Nature of the Estate or Interest expressed to be conveyed, shall and may in all Actions to be brought assign Breach or Breaches thereupon as they might do in case such Covenants were expressly inserted in such Conveyances.

Proprietors
to raise
Money
amongst
themselves
for the Un-
dertaking,
not exceed-
ing 45,000*l.*,
to be divided
into Shares
of 25*l.*

VIII. And be it further 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 Forty-five thousand Pounds, the whole to be divided into One thousand eight hundred Shares of Twenty-five Pounds each, and such One thousand eight hundred Shares shall be numbered, beginning with Number One, in arithmetical Progression, and every such Share shall be distinguished by the Number to be applied to the same; and the said Shares shall be and are hereby vested in the several Persons so raising the same, and their several and respective Successors, Executors, Administrators, and Assigns, to their proper Use and Benefit, proportionably to the Sum they shall severally contribute; and all Bodies Politic, Corporate, and Collegiate, and all Persons, and their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, or such Sum or Sums as shall be demanded in lieu thereof towards carrying on and completing the said Undertaking and other the Purposes of the said Subscription, shall be entitled to and shall receive, at such Time or Times as the said Company shall at any General or Special General Meeting, to be convened for that Purpose in such Manner as Meetings on other Occasions are by this Act directed to be convened, or as the Directors of the said Company, to be appointed as herein-after mentioned, shall, after an Order for that Purpose shall have been made by the said Company, direct and appoint, in proportionable Parts, according to the respective Sums so by them respectively paid, the net Profits and Advantages which shall arise or accrue by the Sale or Disposal of Graves, Vaults, and Privilege of Interment, and other Sums of Money to be received by the said Company, as and when the same shall be divided by the Authority of this Act; and every Body Politic, Corporate, and Collegiate, and Person, having such Property in the said Undertaking

Undertaking as aforesaid, shall bear and pay a proportionable Sum towards carrying on the same.

IX. And be it further enacted, That all the Shares and Proportions of and in the said Undertaking, or the Joint Stock or Fund of the said Company, shall be deemed Personal Estate, and be transmissible as such, and shall not be deemed to be of the Nature of Real Property.

Shares to be Personal Property.

X. And be it further enacted, That the several Parties who have subscribed or who shall hereafter subscribe for or towards the said Undertaking shall and they are hereby required to pay the respective Sums of Money by them respectively subscribed for, or such Parts or Proportions thereof as may have been called for previously to the passing of this Act by the Committee by whom the Affairs of the Company have been conducted, and as shall from Time to Time be called for by the Directors of the said Company, by virtue of and pursuant to the Powers and Directions of this Act, at such Times and Places as shall be directed by the said Directors; and in case any Party shall refuse or neglect to pay the Money by him or her so subscribed for, or the Part thereof so called for, at the Time and in the Manner required for that Purpose, it shall be lawful for the said Company or for the said Directors to sue for and recover the same in any Court of Law or Equity, together with Interest on such unpaid Sum or Sums of Money, at the Rate of Five Pounds *per Centum per Annum*, from the Time when the same shall be directed to be paid as aforesaid.

To compel Payment of Subscriptions.

XI. And be it further enacted, That all Bodies Corporate and Persons who shall have duly subscribed for, or become the Proprietors of, or become entitled to Five Shares in the said Undertaking, and their respective Successors, Executors, Administrators, and Assigns, shall have One Vote for and in respect of such Five Shares; and all such Bodies and Persons as aforesaid as shall have subscribed for, or become the Proprietor of, or become entitled to Ten Shares in the said Undertaking, and their respective Successors, Executors, Administrators, and Assigns, shall have Two Votes; and all such Bodies and Persons as shall have subscribed for or become the Proprietor of or entitled to Fifteen Shares in the said Undertaking shall have Three Votes; and all such Bodies and Persons as aforesaid as shall have subscribed for or become the Proprietor of or entitled to Twenty-five Shares and upwards in the said Undertaking shall have Four Votes; and such Vote or Votes may be given by such respective Bodies Corporate or Persons, or by their respective Proxies constituted under the Common Seals of such Bodies Corporate or under the Hands of the other Proprietors appointing such Proxies, all such Proxies being Proprietors of Shares in the said Undertaking; and every such Vote by Proxy shall be as good and sufficient to all Intents and Purposes as if the Principal had voted in Person; and every such Proxy may be given, either for a specific Purpose, or for a definite or indefinite Number of General Meetings, and shall continue in force for so long a Time as it shall be expressed to be given, unless it shall be revoked by Writing under the Hand of the Proprietor signing the same, or by his subsequently

Directing how Subscribers shall vote.

[Local.]

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appointing

appointing any other Person to act as Proxy, or unless such Proprietor shall be present in Person at any General or Special General Meeting, or at any adjourned Meeting; and every Question, Matter, or Thing which shall be proposed in any General or Special General Meeting of the said Company shall be determined by the Majority of Votes; and at every such Meeting the Chairman thereof shall and may, not only vote as a Principal and Proxy, but in case of an Equality of Votes shall and may also have a second or the decisive or casting Vote; and the Appointment of every such Proxy may be made according to the Form following, or as near thereto as the Quality, Nature, and Number of the Appointor or Appointors of the Proxy thereby constituted, and other Circumstances, will admit; (that is to say,)

Form of
Proxy.

‘ *A. B.* of _____, One of the Proprietors of
 ‘ the General Cemetery Company, doth hereby appoint *C. D.* of
 ‘ _____ to be the Proxy of the said *A. B.*, in his
 ‘ Name or otherwise and in his Absence to vote or give his Assent
 ‘ to or Dissent from any Business, Matter, or Thing relating to the
 ‘ said Undertaking, which shall be proposed at any General or
 ‘ Special General Meeting of the said Company, or at the General
 ‘ or Special General Meeting [*as the Case may be*] holden on the
 ‘ _____ Day of _____ next, and at any Ad-
 ‘ journment thereof, in such Manner as he the said *C. D.* shall think
 ‘ proper. In witness whereof the said *A. B.* hath hereunto set his
 ‘ [*or her*] Hand [*or Common Seal*] the _____ Day
 ‘ of _____

The Person
whose Name
stands first
as a joint
Proprietor
with others
to be deemed
the Owner,
&c.

XII. And be it further enacted, That whenever several Persons shall be jointly possessed of or entitled to any Share or Shares in the said Undertaking, the Person whose Name shall stand first on the Books of the said Company as Proprietor of such Share or Shares, shall for the Purposes of this Act be deemed the Proprietor of such Share or Shares; and all Notices by this Act directed to be given to the Proprietors of Shares in the said Undertaking shall and may, for or in respect of such Share or Shares so jointly held, be given to the Person whose Name shall so stand first in the Books of the said Company, or be left at the last or usual Place of Abode of such Person, or be inserted in the *London Gazette* (as the Case may require); and such Notice to such Person shall be deemed sufficient Notice to all the Proprietors of such Shares so jointly held for all the Purposes for which such Notice is intended to be given; and all such Proprietors shall be entitled to give their Votes in respect of such Share or Shares so jointly held by the Person whose Name shall so stand first in the Books of the said Company as Proprietor of such Share or Shares, and whose Vote, either in Person or by Proxy, shall on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share or Shares, without Proof of the Concurrence of any other Proprietor or Proprietors of such Share or Shares.

Lunatics and
Minors to
vote by Com-
mittees and
Guardians.

XIII. And be it further enacted, That in case any Proprietor entitled to vote at such Meeting as aforesaid shall be a Lunatic or a Minor, such Lunatic shall or may vote at such Meeting by his Committee or by any One of such Committees, and such Minor shall or may vote by his

his Guardians or by One of such Guardians, if such Committee or Guardian shall be a Proprietor of Shares in the said Undertaking, and if not, then by a Proxy to be appointed by such Committee or any One of such Committees, or by such Guardian or any One of such Guardians: Provided that every such Committee or Guardian may, if a Proprietor, also vote in right of his or her own Share or Shares, as well as in the Character of Committee of any Lunatic, or of Guardian of any Minor, on the same Occasion.

XIV. And be it further 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, and shall have paid up all Instalments which may have been called for in respect of such Shares, although the Time limited for the Payment of any such Instalments may not have expired: 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.

Proprietors to be possessed of Shares Six Calendar Months before they can vote.

XV. And be it further enacted, That the said Company shall and they are hereby required, at some General Meeting, to cause the Names of the several Bodies Corporate, and the Names and Additions of the several Persons who shall then be entitled to any Share or Shares in the said Undertaking, with the Number of Shares which they are respectively entitled to hold, and the Amount of the Subscriptions paid thereon, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the Clerk of the said Company, and also from Time to Time to cause the Names and proper Additions of the several Bodies Corporate and Persons who shall from Time to Time become entitled to any Share or Shares in the said Undertaking to be entered in such Book; and the said Company shall also from Time to Time cause a Certificate or Ticket, with the Common Seal of the said Company affixed thereto, to be delivered to every such Proprietor, on Demand, specifying the Share or Shares to which they, he, or she are or is entitled in the said Undertaking, such Proprietor paying to the Clerk of the said Company the Sum of Two Shillings and Sixpence, and no more, for every such Certificate or Ticket; and in case such Certificate or Ticket shall be worn out, damaged, defaced, burnt, or totally destroyed or lost, then, upon due Proof thereof, a similar Certificate or Ticket shall be given to the Party who was the Proprietor of or entitled to the Certificate or Ticket so worn out, damaged, or defaced, burnt, destroyed, or lost; and a due Entry of the Substitute or Duplicate of such Certificate or Ticket shall be made by the Clerk of the said Company in manner herein-before directed, the said Clerk receiving for every such Certificate or Ticket which shall be so substituted or given the Sum of Two Shillings and Sixpence, and no more; and such Certificate or Ticket, whether original or substituted, shall be admitted in all Courts

Names of Proprietors to be entered, and Certificates of their Shares delivered to them.

For granting new Certificates when old ones destroyed or worn out.

Courts whatsoever as *prima facie* Evidence of the Title of such respective Subscribers, their Successors, Executors, Administrators, and Assigns, to the Share or Shares therein specified; but the Want of such Certificate or Ticket shall not hinder or prevent the Proprietor of any of the said Shares from selling or disposing of the same; and such Certificate or Ticket may be in the Words or to the Effect following; (that is to say,)

‘ The General Cemetery Company, Number
 ‘ THESE are to certify, That *A. B.* of
 ‘ is the Proprietor of the Share Number in the
 ‘ General Cemetery Company, subject to the Rules, Regulations, and
 ‘ Orders of the said Company; and that the said *A. B.*, his Exe-
 ‘ cutors, Administrators (or Successors), and Assigns, is and are
 ‘ entitled to the Profits and Advantages of such Share. Given under
 ‘ the Common Seal of the said Company, the Day of
 ‘ in the Year of our Lord

Power to
 raise the ad-
 ditional Sum
 by way of
 Mortgage.

XVI. And be it further enacted, That if the Money hereby au-
 thorized to be raised shall be found insufficient for the Purposes of
 this Act, then and in such Case it shall be lawful for the said Com-
 pany, by the Order of any Special General Meeting of the said Com-
 pany; to borrow and take up at Interest any further or additional Sum
 or Sums of Money, not exceeding in the whole the Sum of Fifteen
 thousand Pounds, on the Credit of the said Undertaking, as to them
 shall seem proper; and the said Company, or the Directors of the said
 Company, after an Order shall have been made for that Purpose by
 any Special General Meeting of the said Company, are hereby em-
 powered to mortgage, assign, and charge the Property of the said
 Undertaking; and the Profits arising or to arise from the Sale or Dis-
 posal of Graves, Vaults, and Privilege of Interment, or any other Sums
 of Money arising by virtue of this Act or any Part thereof (the Costs
 and Charges of assigning the same to be paid out of such Profits or
 Monies), as a Security for any such further Sum of Money to be bor-
 rowed as aforesaid, with Interest, to or for the Benefit of the Party,
 or to his or her Trustee, who shall advance the same; and a Copy of
 the Order of any Special General Meeting of the said Company,
 authorizing the borrowing of any such Sum or Sums of Money, cer-
 tified by the Clerk of the Company to be a true Copy, shall be suffi-
 cient Evidence of the making of such Order; and all such Mort-
 gages, Assignments, and Charges shall be made under the Common
 Seal of the said Company, in the Words or to the Effect following,
 with such Variations therein as the Circumstances of the Case may
 render necessary; (that is to say,)

Form of
 Mortgage.

‘ Number } BY virtue of an Act passed in the Second Year of
 ‘ the Reign of His Majesty King *William* the Fourth,
 ‘ intituled [*here set forth the Title of this Act*], We “ The General
 ‘ Cemetery Company,” incorporated by and under the said Act, in
 ‘ consideration of the Sum of to us in hand paid by
 ‘ *A. B.* of , do assign unto the said *A. B.*, his Executors,
 ‘ Administrators, and Assigns, the said Undertaking, and all and
 ‘ singular the Profits arising from the Sale or Disposal of Graves,
 ‘ Vaults, and Privilege of Interment, and other the Sums of Money
 ‘ arising

arising by virtue of the said Act, and all the Estate, Right, Title,
 and Interest of the said Company, of, in, and to the same, to hold
 unto the said A. B., his Executors, Administrators, and Assigns,
 until the said Sum of _____, together with Interest
 for the same after the Rate of _____ for every One
 hundred Pounds for a Year, shall be fully paid and satisfied.
 Given under our Common Seal, this _____ Day of _____
 in the Year of our Lord _____

And the respective Parties to whom such Mortgages or Assign-
 ments shall be made shall be entitled, one with the other, to their
 Proportions of the said Profits, Monies, and Premises, according to
 the respective Sums in such Mortgages or Assignments mentioned to
 be advanced, without any Preference by reason of Priority in the Date
 of any such Order of Meeting, or Priority in Date of any such Mort-
 gage or Assignment, or on any other Account whatsoever; and an Entry
 or Memorial of every such Mortgage or Assignment, containing the
 Number and Date thereof, and the Names of the Parties (with their
 proper Additions) to whom the same shall have been made, and of
 the Sums borrowed, together with the Rate of Interest to be paid
 thereon, shall, within Fourteen Days next after the Date thereof,
 be entered in some Book to be kept by the Clerk of the said Com-
 pany, which said Book may be perused at all seasonable Times by
 any of the Proprietors or Creditors of the said Undertaking, or other
 Persons interested therein, without Fee or Reward; and all Parties
 to whom any such Mortgages or Assignments shall have been made
 as aforesaid, or who shall be entitled to the Money due thereon, may
 from Time to Time transfer their respective Rights or Interests
 therein to any other Person or Persons; and every Transfer thereof
 may be in the Words or to the Effect following; (that is to say,)

Mortgagees
 not to have
 Priority.

I A. B. of _____, in consideration of the Sum _____
 of _____ paid by C. D. of _____,
 do hereby transfer a Mortgage or Assignment, Number _____,
 made by "The General Cemetery Company" to _____,
 bearing Date the _____ Day of _____, for se-
 curing the Sum of _____ and Interest, and all my Right,
 Estate, and Interest in and to the Money thereby secured, and in
 and to the Profits, Monies, and Property thereby assigned to the
 said C. D., his Executors, Administrators, and Assigns. Dated
 the _____ Day of _____ in the Year of our
 Lord _____

Form of
 Transfer of
 Mortgage.

And every such Transfer shall within Twenty-eight Days next after
 the Date thereof, if executed in *England*, or otherwise within Twenty-
 eight Days next after the Arrival thereof in *England*, if executed
 elsewhere, the Time of such Arrival to be verified by an Affidavit
 made and sworn to by some respectable Person before any of His
 Majesty's Justices of the Peace, or before any Master or Master Ex-
 traordinary in the High Court of Chancery, which Affidavit shall
 be delivered in and left with the Clerk of the said Company, be pro-
 duced to the Clerk of the said Company, who shall cause an Entry or
 Memorial to be made thereof in the same Manner as of the original
 Mortgage or Assignment, for which the said Clerk shall be paid the

[Local.]

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Sum

Sum of Two Shillings and Sixpence and no more; and after such Entry or Memorial made every such Transfer shall entitle such Assignee, or his or her Executors, Administrators, and Assigns, to the full Benefit thereof and Payment thereon; and it shall not be in the Power of any Person who shall have made such Transfer to make void, release, or discharge the same, or any Sum of Money thereon due or thereby secured, or any Part thereof.

Interest of Money borrowed to be paid in preference to Dividends.

XVII. And be it further enacted, That the Interest of the Money which shall be raised by Mortgage, Assignment, or Charge as aforesaid shall be paid half yearly to the several Parties entitled thereto, and in preference to any Dividends payable by virtue of this Act to the Proprietors of the said Company or any of them; and in case such Interest or any Part thereof shall be unpaid for the Space of Twenty-one Days next after the same shall have become due and payable as aforesaid, and the same shall not be paid within Twenty Days after Demand thereof in Writing shall have been made to the said Company, or left at the Office of the said Company, such Demand being made upon or any Time after the Expiration of such Twenty-one Days, it shall be lawful for any Two or more Justices of the Peace acting in or for the County in which the Cemetery is situated, not being interested in the Matter in question, and they are hereby required, on Request to them made by or on behalf of any Mortgagee whose Interest shall be so in arrear, by an Order under their Hands to appoint some Person to receive the Whole or such Parts of the said Profits or Proceeds or other Monies as are liable to pay such Interest so due and unpaid as aforesaid; and the Money so to be received by such Receiver is hereby declared to be so much Money received by or to the Use of the Person or Persons to whom such Interest shall be then due, until the same, together with the Costs and Charges of recovering and receiving the said Profits or Proceeds or other Monies, shall be fully paid and satisfied, and after such Interest and Costs shall have been paid and satisfied the Power or Authority of such Receiver for the Purposes aforesaid shall cease and determine, or otherwise the Interest so due and unpaid as aforesaid may be sued for and recovered, with Costs, by Action of Debt in any of His Majesty's Courts of Record at *Westminster*.

Creditors not to vote.

XVIII. Provided always, and be it further enacted, That no Person to whom any such Mortgage or Assignment shall be made or transferred as aforesaid shall be deemed a Proprietor of any Share, or shall be capable of acting or voting as such at any Meeting of the said Company, by reason or on account of his or her having advanced any Money on such Mortgage or Assignment.

In case Mortgages are paid off, Power to raise the Amount again.

XIX. And be it further enacted, That in case the said Company shall raise the Whole or any Part of the additional Sum of Fifteen thousand Pounds by Mortgage, Assignment, or Charge as aforesaid, and shall afterwards be required or shall be desirous to pay off or shall have paid off all or any Part of the Principal Sum so raised or borrowed upon Mortgage, Assignment, or Charge as aforesaid, then and in every such Case it shall be lawful for the said Company, immediately, or at any Time or Times thereafter, again to raise, in

lieu of the Principal Money so paid off or to be paid off by them, such Sum or Sums of Money as they shall from Time to Time have paid off or be required or be desirous to pay off, to the Holders of such Mortgages or Assignments, or any of them, or any Part thereof, and so from Time to Time as often as the same shall happen, but so nevertheless that the said Company shall not in any Event borrow upon Mortgage or Assignment in such Manner or to such Extent as that more than the Sum of Fifteen thousand Pounds in the Whole shall be owing at any One Time on Mortgage or Assignment of or as a Charge upon the said Undertaking.

XX. And be it further enacted, That all the Money to be raised by the said Company by virtue of this Act shall be laid out and applied, in the first place, in paying and discharging all Costs and Expences incurred in applying for, obtaining, and passing this Act, and all other Expences preparatory or relating thereto, and the Remainder of such Money shall be applied in and towards purchasing Lands, Tenements, and Hereditaments, and making and maintaining the said Cemetery and other Works by this Act authorized to be made, and in otherwise carrying this Act into execution.

Application
of Money to
be raised.

XXI. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to make and maintain a Cemetery or Burial Ground for the Interment of the Dead, in such open Situation adjacent to the Metropolis as they shall think fit, and to lay out and to embellish the same in and with such Paths, Walks, Avenues, Roads, Trees, Shrubs, and Plantations as may be fitting and proper, and to cause the said intended Cemetery or Burial Ground to be inclosed with proper and sufficient Walls, Rails, Fences, Palisades, Gates, and Entrances.

Company
empowered
to build a
Cemetery.

XXII. And be it further enacted, That it shall be lawful for the said Company, and they are hereby empowered, to make, erect, and build, on such Part of the Land so to be purchased as they shall think proper, a convenient and suitable Chapel for the Reception of the Dead immediately previous to Interment, and for the Purpose of performing therein the Burial Service according to the Established Form of the United Church of *England and Ireland*, and also such and so many covered Porches or Colonnades, and Catacombs and Vaults for private or public Burial Places, and such other Building or Buildings, Matters and Things, and for such Purposes as the said Company shall think proper.

Company
empowered
to build
Chapel, &c.

XXIII. And be it further enacted, That it shall and may be lawful for the said Company, in the Name of the said Company or of such Person or Persons as they shall for that Purpose appoint, to contract and agree with any Person or Persons for making and completing the said intended Cemetery, and for planting, levelling, and laying out the same, and for enclosing the same with Walls, Fences, Pales, and Palisades, and for providing proper Materials for all or any of the Purposes aforesaid, and for doing all or any of the Works hereby authorized, or any Part or Parts thereof respectively; and the said

Company
may con-
tract for
the Works
to be done.

Company

Company may take such Security for the Performance of such Contract as to them shall seem necessary.

Company may compound for Breach of Contract.

XXIV. And be it further enacted, That it shall be lawful for the said Company, or such Person or Persons as they shall appoint to enter into such Contracts for the Time being, from Time to Time, as they shall think fit, to compound and agree with any Person or Persons on account of any Breach or Non-performance of any Contract or Contracts, for such Sum or Sums of Money as they shall think fit.

Power to make Sewers from Cemetery.

XXV. And be it further enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, from Time to Time and at all Times, to make and sink all necessary and proper Sewers, Soughs, Ditches, and Drains in and about the said Cemetery, for the Purposes of conveying the Water from the same; and keeping the same dry, and from Time to Time, as Occasion may require, and under the Direction of the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex*, for the Limits of *Holborn* and *Finsbury* Divisions, the Parish of *Saint Leonard Shoreditch* and the Liberty of *Norton Falgate*, and for the *Tower Hamlets* (excluding *Saint Katherine's* and *Blackwall Marsh*), in the said County of *Middlesex*, to make, lay, and communicate with any Branch or Main Sewer already made or hereafter to be made, doing as little Damage as possible to the Ground or the Streets or Places whereon such Sewers or Drains may be made, and replacing and closing the same, and otherwise making the same in the same State and Condition as it was previously to its being disturbed, or as near thereto as possible.

Cemetery to be consecrated.

XXVI. And be it further enacted, That so much and such Part of the said Land or Ground so to be purchased as aforesaid as shall be set apart for the Interment of the Dead according to the Rites and Usages of the United Church of *England* and *Ireland*, when consecrated by the Bishop of the Diocese for the Time being, shall for ever thereafter be set apart and be used and applied exclusively for the Purpose of Christian Burial.

Company to pay a Fee on Interment of Persons removed from certain Parishes.

XXVII. And be it further enacted, That upon the Interment of every Person within the consecrated Part of the said Cemetery, who shall appear by the Books of the Company to have been removed for the Purpose of Interment from any of such of the Parishes within the Weekly Bills of Mortality as are within the Diocese of *London*, or from the Parishes of *Saint Mary-le-bone*, *Saint Pancras*, *Paddington*, or *Saint Mary Abbots*, *Kensington*, the said Company shall pay unto the Incumbent for the Time being of the Parish from which such Person shall be so removed the Fees following; (that is to say,) in case such Person shall be interred within any Vault, Catacomb, or Brick Grave, the Fee of Five Shillings; and in case such Person shall be interred in the open Ground, the Fee of One Shilling and Sixpence.

XXVIII. And

XXVIII. And whereas by virtue of several Acts for constituting Four District Rectories in the Parish of *Saint Mary-le-bone* the Rector thereof was deprived of a large Portion of his Income, arising from Surplice Fees, and the Burial Fees of the whole Parish, (excepting those arising from Interments in the Vaults under the District Churches of *Christ Church* and *Trinity*,) were expressly reserved him for a Compensation for the said Deprivation, and it is therefore expedient that a larger Fee on certain Interments should be paid to such Rector than to the Incumbents of the other Parishes hereinbefore mentioned; be it therefore enacted, That so long as the Burial Grounds of the said Parish shall be used by such Parish for the Purpose of Interment, the said Company shall pay unto the Reverend *John Hume Spry*, Doctor of Divinity, the present Rector of the said Parish, or other the Rector for the Time being of the said Parish, upon the Interment of every Person within the consecrated Part of the said Cemetery who shall appear by the Books of the Company to have been removed for the Purpose of Interment from the said Parish of *Saint Mary-le-bone*, in case such Person shall be interred within any Vault, Catacomb, or Brick Grave, the Sum of Two Shillings and Sixpence, in addition to the Fee of Five Shillings hereinbefore made payable in respect of such Interment.

Larger Fee payable to the Rector of *Mary-le-bone*.

XXIX. And be it further enacted, That for the Purpose of ascertaining the Amount of Fees which shall be so payable to the Incumbents of the several Parishes aforesaid the said Company shall and they are hereby required to cause a Book or Books to be kept, and clear, regular, and distinct Entries to be made therein of the Names of all Persons interred within the consecrated Part of the said Cemetery who shall have been removed for the Purpose of Interment from such of the Parishes within the Bills of Mortality as are within the Diocese of *London*, or from the Parishes of *Saint Mary-le-bone*, *Saint Pancras*, *Paddington*, and *Saint Mary Abbots*, *Kensington*, and the Names of the Parishes from which such Persons respectively shall have been so 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 Book or Books shall be at all seasonable Times open to the Inspection of the Incumbents for the Time being of the said several Parishes, upon Payment to the said Company of the Sum of One Shilling for every such Inspection.

Company to keep Account of such Fees and allow Inspection thereof.

XXX. And be it further enacted, That in case the said Company, or the Person with whom any such Book or Books shall be deposited, or who shall have the Custody thereof, shall refuse or neglect to produce such Book or Books for the Purpose of Inspection as aforesaid at all seasonable Times, or shall not on any reasonable Demand permit any such Incumbent as aforesaid to inspect the same, the said Company, or the Person or Persons so offending, shall for every such Offence forfeit and pay the Sum of Two Pounds, to be recovered in a summary Way by Information or Complaint before any One or more of His Majesty's Justices of the Peace for the County of *Middlesex*.

Penalty on refusing Inspection.

Company to
account for
Fees Half-
yearly.

XXXI. And be it further enacted, That the said Company shall and they are hereby required Twice in every Year, that is to say, on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September*, to cause an Account to be made up of all Fees, if any, payable by the said Company to the Incumbents of the several Parishes aforesaid, and of the Sum payable in respect of each such Parish; and the said Company shall, at the Expiration of One Calendar Month next thereafter, deliver, upon Demand, to the Incumbent of each of such Parishes, or to such Person as he shall appoint, a Statement in Writing of the Sum payable to such Incumbent, with the Names of the several Persons in respect of whose Interment the Fees are paid, and the Mode of their Interment, whether in a Vault, Catacomb, or Brick Grave, or in the open Ground, and shall at the Time of the Delivery of such Account, or at any Time thereafter, upon Demand, pay to every such Incumbent, or to such Person as he shall appoint, the full Amount of the Sum which upon the Statement of such Account shall appear to be due by the Company.

Company
may require
Evidence of
Identity of
Incumbent.

XXXII. And be it further enacted, That before the Incumbent of any of such Parishes 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 Fee is actually the Incumbent of the Parish in respect of which the Fees are claimed.

Fees to be
paid to the
Incumbent
for the Time
being.

XXXIII. And be it further enacted, That all Fees payable by the said Company by virtue of this Act shall be paid to the Incumbent for the Time being of the Parish in respect of which the same are payable, notwithstanding he may not have been the Incumbent thereof at the Time the Interment took place for which such Fee is paid, or at the Time when the half-yearly Settlement of Accounts was made; and the Receipt of the Incumbent for the Time being shall be an effectual Discharge to the said Company for the Fees payable by them by virtue of this Act.

Incumbent
for the Time
being to
account with
his Pre-
decessors.

XXXIV. Provided always, and be it further enacted, That upon the Cession, Resignation, Removal, or Death of the Incumbent of any of the Parishes in respect of which Fees are payable by the said Company by virtue of this Act, such Incumbent, his Executors, Administrators, or Assigns, shall be entitled to receive so much of the Sum payable at the half-yearly Day of Settlement of Accounts which shall happen next after such Cession, Resignation, Removal, or Death, as shall have accrued for such Fees from the last preceding Day of Settlement of Accounts, or from the Time when such Incumbent became first entitled in fact or by relation of Law to receive the Fruits of his Living (as the Case may require), up to the Day of such Cession, Resignation, Removal, or Death, and the Incumbent who shall be appointed in his Place shall and may have, receive, and retain the Residue of the said Sum; and the Incumbent of any Parish who shall receive from the said Company any Sum which in pursuance of the Directions herein-before contained is to be divided as aforesaid shall account for the same with the preceding Incumbent,

ment, his Executors, Administrators, or Assigns, and pay over the same to him or them accordingly, and the said Company shall not be liable to see to the Application thereof; and in like Manner the Incumbent for the Time being of any Parish in respect of which any Arrears of Fees are payable by the said Company shall upon the Receipt duly account for and pay over the same unto the preceding Incumbent, his Executors, Administrators, or Assigns, or other the Person or Persons entitled thereto; and the Company shall not be answerable or accountable to any Person or Persons, other than the actual Incumbent for the Time being, for the Payment of any Fees or Arrears of Fees under or by virtue of this Act.

XXXV. And be it further enacted, That the Books herein-before directed to be kept by the said Company for the Purpose of ascertaining the Amount of Fees payable to the Incumbents of the several Parishes; shall be conclusive Evidence of the Facts therein stated; and the said Company shall not be liable to give, nor shall any such Incumbent as aforesaid be entitled to require, any other Evidence of the Amount of the Sum payable to him for Fees under the Authority of this Act than the Entries in such Books.

Books of the
Company to
be Evidence.

XXXVI. And be it further enacted, That there shall be a Clergyman of the United Church of *England* and *Ireland* to officiate as Minister at the said Cemetery, who shall be from Time to Time nominated and appointed by the Directors of the said Company, and shall be licensed by and be subject to the Jurisdiction of the Bishop of the Diocese for the Time being; and every Person who shall accept the Office or Place of Minister to the said Cemetery, and shall officiate as such, without being so licensed as aforesaid, shall, for every Time that he shall officiate as Minister after such Appointment, and before he shall be so licensed, forfeit the Sum of One hundred Pounds, to be recovered, with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance, shall be allowed; and the said Bishop shall have Power to revoke summarily and without Process any such Licence, and to remove such Minister, for any Cause which shall appear to the said Bishop to be good and reasonable, subject nevertheless to an Appeal to the Archbishop of the Province of *Canterbury*, and to be determined in a summary Manner.

Minister
to be ap-
pointed.

XXXVII. And be it further enacted, That the Minister so licensed to officiate at the said Cemetery shall and he is hereby required to reside in such Dwelling House as the Directors of the said Company shall from Time to Time appoint, and to perform in Person, when required, unless prevented by Sickness, or other reasonable Cause to be approved of by the Bishop of the Diocese for the Time being, the Burial Service within the consecrated Part of the said Cemetery, according to the established Usage of the United Church of *England* and *Ireland*.

Duties of
Minister.

XXXVIII. And be it further enacted, That it shall and may be lawful for any Clergyman of the Established Church, at the Request

Any Clergy-
man may
officiate.

of any Party or Parties, and with the Consent of the said Minister so to be licensed to the said Cemetery, to perform the said Burial Service at the said Cemetery.

A Stipend to be paid to the Minister.

XXXIX. And be it further enacted, That the said Company shall and may, by and out of the Monies to be received by virtue of this Act, allow to the Minister of the said Cemetery for the Time being such a Stipend or Salary as they shall think fit, the said Salary to be payable on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in each and every Year, by equal Portions; and a due Apportionment of the said Stipend or Salary shall from Time to Time be made between any Minister resigning or being removed, or the Executors or Administrators of any Minister of the said Cemetery dying in the Interval between the half-yearly Days of Payment, and the Successors of the Minister so resigning, being removed, or dying, for and in respect of the Half Year wherein such Resignation or Death shall happen.

Mode of recovering Minister's Stipend,

XL. And be it further enacted, That if Default shall be made in the Payment of the Stipend or Salary of the said Minister, or any Part thereof, or any Apportionment thereof, to the Minister for the Time being, or to the Executors or Administrators of a deceased Minister, or to any Minister who may have resigned, for the Space of Twenty Days next after any of the Days of Payment whereon the same ought to be paid, it shall be lawful for such Minister, and his Executors and Administrators, or for the Minister so resigning, to sue for and recover the same, with full Costs of Suit, against the said Company, by Action of Debt or upon the Case in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager at Law, nor more than One Imparlance, shall be allowed.

Directors to appoint Clerk and Sexton.

XLI. And be it further enacted, That it shall be lawful for the said Directors from Time to Time to nominate and appoint such Person or Persons as they shall think fit to act as Clerk and Sexton in the said Cemetery, and also from Time to Time to displace and remove such Clerk and Sexton, or either of them, at their Will and Pleasure; and the Wages or Stipends of such Clerk and Sexton shall from Time to Time be fixed and settled by the said Directors, and such Clerk and Sexton shall and may from Time to Time use the like Methods for the Recovery of their respective Stipends or Wages as are by this Act given to the Minister of the said Cemetery for the Recovery of his Stipend or Salary; and every such Clerk and Sexton shall, unless prevented by Sickness or other sufficient Cause, regularly attend and perform his Duty at the said Cemetery whenever required for that Purpose, or, in default thereof, lose and forfeit all Right and Claim to his Wages or Stipend.

Part of the Cemetery may be set apart for the Interment of Foreigners

XLII. And whereas it is expedient that some Part of the said Cemetery should be set apart and appropriated for the Interment of Foreigners and other Persons, for whom, as not being Members of the Church of *England*, no Place of Burial is by Law appropriated; be it therefore enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, to set apart
a Portion

a Portion of the intended Cemetery as a Place of Burial or Interment for Foreigners and other Persons, not being Members of the United Church of *England* and *Ireland* as by Law established; and such Portion of the said intended Cemetery shall not be consecrated, but the same shall nevertheless be for ever set apart and appropriated and exclusively used for the Interment of the Dead; and it shall be lawful to inter the Bodies of the Dead in such unconsecrated Part of the said Cemetery in such Manner in all respects as the Friends and Relatives of the Person or Persons so to be interred shall think fit; and in default of any Direction by the Friends or Relatives of the Person or Persons so to be interred, then in such Manner as the said Company shall think fit and appoint: Provided always, that every such Burial shall be conducted in a decent and solemn Manner, and under such Regulations and Restrictions as the said Company shall think fit to impose.

and others not Members of the Church of England, which Part shall not be consecrated.

XLIII. And be it further enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, from Time to Time and at all Times, from and after the passing of this Act, to sell and dispose of, to any Person or Persons who may be willing or desire to purchase or acquire the same, and at or for such Price or Prices or Sum or Sums of Money, and under such Regulations and Restrictions, and subject to such Conditions, as the said Company shall think proper to require, the exclusive Right of Burial or Interment, either in Perpetuity or for a limited Period, as may be agreed upon, in all and every or any of the Vaults, Catacombs, Arches, Brick Graves, Graves, and Places of Burial which may be from Time to Time or at any Time erected, made, or built by the said Company within the said Cemetery or any Part thereof; and also the Right and Privilege of erecting and making of any Family or other Vault, Catacomb, Brick Grave, or Place of Burial within the said Cemetery, with the exclusive Right of Burial or Interment therein, either in Perpetuity or for a limited Period; and also the Right or Privilege of single Interment in any of the Vaults, Catacombs, Arches, Brick Graves, Graves, or other Places of Burial made or constructed by the said Company, or in the open Ground of the said Cemetery; and also the Right and Privilege of erecting and placing any Monument or Cenotaph in the said Cemetery, or any Monument, Tablet, or monumental Inscription on or against the Walls of the said Chapel, or other Place appropriated by the said Company for the Reception of Monuments, Tablets, or monumental Inscriptions; and also the Right and Privilege of placing any Grave Stone or Slab of Stone or Marble or other Material, or Foot Stones or Head Stones, upon or to any Grave in the said Cemetery; and every such Purchaser and Purchasers of the exclusive Right of Interment or Burial, whether in Perpetuity or for a limited Period, in any such Catacomb, Vault, or Burial Place, his or her Heirs, Executors, Administrators, or Assigns, shall, and he, she, or they is and are hereby required, immediately upon the Completion of such Purchase, to close the Entrance of each such Catacomb, Vault, or Place of Burial with good and substantial Doors, to the Satisfaction of the said Company, under the Penalty of Ten Pounds.

Company may sell exclusive Right of Burial in Vaults in Perpetuity, or for a limited Period.

Company
to keep Ce-
metery in
repair.

XLIV. And be it further enacted, That the said Company shall, by and out of the Monies to be received by virtue of this Act, keep the said Cemetery, and the said Chapel, and the several Buildings thereon and therein, and the external Walls and Fences thereof, and all other Parts of the same, in thorough and complete repair.

Form of
Grant of
exclusive
Right of
Burial in
Vaults, &c.

XLV. And be it further enacted, That the Conveyance of the exclusive Right of Burial or Interment in all such Vaults, Catacombs, Brick Graves, Graves, and Places of Burial, and of the Right and Privilege of erecting and making of any Family Vaults, Catacombs, Brick Graves, Graves, or Places of Burial, with the exclusive Right of Burial or Interment therein, either in Perpetuity or for a limited Period, and of the Right and Privilege of erecting of any Monuments or Cenotaphs, shall be under the Common Seal of the said Company, and shall and may be made in the Words or to the Effect following, with such Variations therein as the Circumstances of the Case may render necessary; (that is to say,)

‘ BY virtue of an Act passed in the Second Year of the Reign
‘ of His Majesty King *William* the Fourth, intituled [*here in-*
‘ *sert the Title of this Act*], We, the General Cemetery Company,
‘ incorporated by and under the said Act, in consideration of the
‘ Sum of _____ to us in hand paid by
‘ _____, do hereby grant and convey unto the said
‘ _____ the exclusive Right of Burial and
‘ Interment [*or, as the Case may be, the Right and Privilege of erect-*
‘ *ing and making, and the exclusive Right of Burial or Interment 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 Cenotaph, as*
‘ *the Case may be, so as to identify the same*]; to hold the same to the
‘ said _____ in Perpetuity [*or for the*
‘ *Period agreed upon*], for the Purpose of Burial [*as the Case may be*],
‘ subject to such Rules, Orders, and Regulations as have been or shall
‘ from Time to Time hereafter be made by the said Company for the
‘ Management and Regulation of the said Cemetery, and the Cata-
‘ combs or Vaults therein.’

And every such Conveyance so made shall be good, valid, and effectual, both at Law and in Equity, without Words of Inheritance, Limitation, or Representation, to vest the exclusive Right of Burial or Interment in the Catacomb or Vault described therein, or to be erected or made in pursuance thereof, in the Person or Persons purchasing the same, and his or their Personal Representatives, Legatees, and Assigns, in Perpetuity, or for the Period agreed upon, without any Faculty whatever, subject to the Payment of such Fees as may be by the Rules and Regulations of the said Company from Time to Time payable on the Interment of any Corpse in such Vault or Cemetery, and subject also to such Rules, Orders, and Regulations as shall from Time to Time be made by the said Company for the better Regulation of the said Cemetery and the Vaults and Catacombs thereof; and an Entry or Memorial of every such Grant or Assignment, containing the Date thereof, and the Names of the Parties, with their proper Additions, to whom the same shall have been made,

Memorial of
every Grant
to be entered
in a Book

made, with a sufficient Description of the Vault or Catacomb, or of the Piece of Ground for the Erection of a Vault or Catacomb, comprised therein, so as to identify the same, and the Amount of the Sum paid for the Purchase thereof, shall, within Fourteen Days after the Date thereof, be entered in some Book to be kept by the Clerk of the Company, for which the said Clerk shall receive such Sum as the said Company shall think fit, not exceeding the Sum of Two Shillings and Sixpence, and which Book may be perused at all seasonable Times by any of the Proprietors of the said Undertaking, without Fee or Reward, and by any Purchaser or intended Purchaser from the original or any intermediate Purchaser thereof, upon Payment of the Sum of Two Shillings and Sixpence to the Clerk of the said Company.

by the Clerk.

XLVI. And be it further enacted, That the exclusive Right of Burial or Interment in any Vault, Catacomb, and Burial Place which shall be so purchased as aforesaid, and after such Purchase shall have been conveyed to the Purchaser or Purchasers thereof in the Manner herein-before directed, shall, if in Perpetuity, be considered as a Personal Inheritance, and shall and may, whether granted in Perpetuity or for a limited Period, be sold and disposed of and assigned in his or their Lifetime, or bequeathed by his or their last Will and Testament; and every such Assignment or Disposition, except by Will, may be made in the Form or to the Effect following:

Exclusive Right of Burial in Vaults may be disposed of by the Persons purchasing the same.

I of in
 consideration of the Sum of paid
 to me by , do hereby bargain, sell, and assign
 unto the said 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 General Cemetery
 Company, by a Deed bearing Date the Day of
 and all my Estate, Title,
 and Interest therein or thereto; to hold the same unto the said
 , his Personal Representatives, Legatees, 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

Form of derivative Assignment.

And every such Assignment, if made in the Form or to the Effect aforesaid, shall be valid and effectual in the Law, without Enrolment, and without Words of Inheritance, Limitation, or Representation, to vest the exclusive Right of Burial or Interment in the said Vault or Catacomb in the Purchaser thereof, his Personal Representatives, Legatees, and Assigns, either in Perpetuity or for the Remainder of the Period for which the same was originally granted, free from all Claims whatever by or from the Person making or executing the same, or any Person claiming through, under, or in Trust for him.

XLVII. And be it further enacted, That every derivative Assignment of the exclusive Right of Burial or Interment in any Vault, Catacomb, or Grave in the said Cemetery, and also every Will by which

Derivative Assignments to be registered.

which the exclusive Right of Burial or Interment in any Vault or Grave in the said Cemetery shall be devised, shall, if a Deed, within Twenty-eight Days after the Execution thereof if executed in *England*, or within Twenty-eight Days after the Arrival thereof in *England* if executed elsewhere, the Time of such Arrival to be verified by an Affidavit made and sworn to by some respectable Person before any of His Majesty's Justices of the Peace, or before any Master or Master Extraordinary in Chancery, which Affidavit shall be delivered to and left with the Clerk of the said Company, and if a Will, then within Twenty-eight Days after the Probate thereof, be produced to the Clerk of the said Company, who shall cause an Entry or Memorial to be made thereof in the same Manner as of the original Grant, for which the said Clerk shall be paid such Sum as the said Company shall think fit, not exceeding the Sum of Two Shillings and Sixpence; and after such Entry or Memorial made every such Assignment shall entitle the Person to whom the same shall be made, his Personal Representatives, Legatees, and Assigns, to the full Benefit thereof; and it shall not be in the Power of the Person who shall have made such Assignment to make void or vacate the same.

No Interment to be made in a Private Vault without the Consent of the Owner.

XLVIII. Provided always, and be it further enacted, That before any Corpse other than that of the Person for the Time being entitled as Owner to the exclusive Right of Burial therein shall be permitted to be interred in any Vault, Catacomb, or Brick Grave, or in any Place of Burial the exclusive Right of Burial or Interment wherein shall have been sold or granted by the said Company as a Family or Private Burial Place, it shall be lawful for the said Company to require, and they shall be entitled to have produced to them, satisfactory Evidence that the Person for the Time being entitled as Owner to the exclusive Right of Burial or Interment in such Vault, Grave, or Burial Place has consented to such Interment taking place therein.

Company may take down Monuments, &c. which have been erected contrary to Condition.

XLIX. And be it further enacted, That it shall be lawful for the said Company to take down and remove any Monuments, Cenotaphs, Tablets, Monumental Inscriptions, Grave Stones, and other Erections which shall have been erected or built contrary to the Terms and Conditions upon which Permission to erect or construct the same was granted, or in case such Terms and Conditions shall not have been complied with; and also to enter upon and resume the Possession of any Grave or Vault, or other Burial Place, in which the Interest of the Purchaser of the exclusive Right of Sepulture therein shall have ceased or determined, or become forfeited for Non-compliance with the Rules, Orders, and Regulations of the said Company: Provided always, that in case of such Resumption of Possession or Re-entry by the said Company the Bodies which may have been interred in any such Vault or Burial Place shall not be disturbed.

No Burials in Vaults except in Lead Coffins.

L. And be it further enacted, That it shall not be lawful to bury any Corpse within any Vault under the said Chapel, or within any Vault or Catacomb which may be erected within the said Cemetery, unless the same shall be enclosed in a Coffin of Lead, or otherwise enclosed

enclosed in Pitch of Half an Inch in Thickness between an interior and exterior Coffin of Wood.

LI. And be it further enacted, That all Burials within the said Cemetery, as well in the consecrated as unconsecrated Part thereof, shall be registered in Register Books to be provided by the said Company, and kept for that Purpose, according to the Laws in force for keeping Registers in that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, by the Registrar of the said Cemetery, or other Officer appointed to that Duty by the Directors; and such Register Books, or Copies or Extracts therefrom, shall be received in all Courts of Law and Equity as Evidence of such Burials; and Copies or Transcripts thereof, signed by the Registrar or other Person appointed to keep such Registers, and also by the Clerk of the said Company, shall be from Time to Time transmitted and sent to the Registrar of the Ecclesiastical Court of the Bishop of the Diocese, to be kept and preserved with the Copies of the other Register Books of the Parishes within his Diocese.

Register of Burials.

LII. And be it further enacted, That the said Company shall meet together at *Exeter Hall* in the *Strand* in the County of *Middlesex* on the Second *Tuesday* next after the passing of this Act, between the Hours of Ten o'Clock in the Forenoon and Two o'Clock in the Afternoon, and shall then and there proceed in the Execution of this Act; and from and after such First General Meeting of the said Company there shall be a General Annual Meeting of the said Company on the First *Thursday* in the Month of *June* in each and every Year, or within the Space of Ten Days thereafter, and also such and so many Special General Meetings of the said Company as shall be convened in manner herein-after provided; of which said General Meetings and Special General Meetings Ten Days Public Notice at the least shall be given by Advertisement in some Three or more *London* Newspapers, and every such Notice of a Special General Meeting shall specify the Purpose for which such Special General Meeting is called; and such First General Meeting of the said Company, and all other General Meetings and Special General Meetings of the said Company, may be adjourned from Time to Time, and from Place to Place, as shall be found expedient.

First and other General Meetings of Company.

LIII. And be it further enacted, That the said Company shall at some General Meeting elect a Treasurer or Treasurers, and One or more Person or Persons as Clerk or Clerks, for transacting the Business of the said Company; and it shall be lawful for the said Company, at any subsequent General Meeting or Special General Meeting, from Time to Time to remove and displace any such Treasurer or Clerk, or any Persons who shall be thereafter elected to their respective Offices, and to elect, in manner aforesaid, any other Person to act as Treasurer, or other Person or Persons to act as Clerk or Clerks of the said Company, in the Room of such of the said Officers as shall die or resign, or be removed from their respective Offices; and it shall be lawful for the said Company to allow such Salaries or other Emoluments to the said Officers or either of them as they shall from Time to Time think proper and appoint: Provided

General Meeting to appoint Treasurer and Clerk.

[Local.]

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always,

always, that the said Company shall and they are hereby required to take sufficient Security from every Person who shall be appointed Treasurer of the said Company, and from every Receiver, Collector, and other Officer appointed by them or by the said Directors, having the Custody or Controul of any Monies received by virtue of this Act, for the faithful Execution of his Office, before he shall enter thereupon.

Clerk not to be Treasurer, and vice versa.

LIV. Provided also, and be it further enacted, That it shall not be lawful for the said Company to appoint any Person who may be appointed their Clerk in the Execution of this Act, or the Partner of such Clerk, or any Clerk or other Person in the Service or Employment of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, or any Clerk or other Person in the Service or Employment of such Treasurer or of his Partner, to be the Clerk to the said Company for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of such Clerk or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer or in any Manner officiate for the Treasurer, or being the Treasurer or Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any Treasurer shall hold any Place of Profit or Trust under the said Company other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

No Money to be issued without an Order.

LV. And be it further enacted, That no Sum or Sums of Money shall be issued by the Treasurer or Treasurers, or other Officer or Officers to be appointed by the said Company, on account of the said Company, without an Order or Orders in Writing signed by Three at least of the Directors.

General Meetings may make Bye Laws.

LVI. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time to make such Bye Laws, Rules, and Orders as to the said Company shall seem right and proper, as to the Interment of Bodies within the said Cemetery, and the decent and orderly Conduct of Persons attending Funerals, or employed in ordering and conducting the same, and for the good Government of the Officers and Servants of the said Company, and for regulating the Proceedings and reimbursing the Expences of the said Directors, and for the general Management of the said Undertaking in all respects whatsoever, and from Time to Time to alter or repeal such Bye Laws, Rules, and Orders, or any of them, and to make others, and to impose and inflict such reasonable Fines and

Forfeitures upon all Persons offending against the same, as to the said Company shall seem meet, not exceeding the Sum of Five Pounds for any Offence, such Fines and Forfeitures to be levied and recovered as other Penalties and Forfeitures may by this Act be levied and recovered; which said Bye Laws, Rules, and Orders shall be reduced into Writing under the Common Seal of the said Company, and so many and such Part thereof as shall impose any Fine or Penalty on any Person or Persons not being a Proprietor or Proprietors of the said Undertaking, shall be fairly printed on Paper, or painted upon a Board, and shall be hung up and fixed and continued in some conspicuous Part of the said Cemetery, or in the Chapel thereof, and shall from Time to Time be removed as often as the same or any Part thereof shall be obliterated or destroyed; and such Bye Laws, Rules, and Orders, so made and reduced into Writing under the Common Seal of the said Company, shall be binding upon and be observed by all Parties, as well Proprietors as others, and shall be sufficient in all Courts of Law or Equity to justify all Persons who shall act under the same; provided that such Bye Laws or Orders be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any of the Provisions in this Act contained; and all such Bye Laws, Rules, and Orders shall be subject to Appeal in manner herein-after mentioned.

LVII. And be it further enacted, That at such First General Meeting to be held as herein-before is mentioned, or at some Meeting to be held by Adjournment from such General Meeting, Twelve Persons, who shall be Proprietors, and respectively possessed in their own Right of Twenty Shares at least in the said Undertaking, shall be elected Directors to manage the Affairs of the said Company by the Proprietors present at such Meeting, either personally or by Proxy; and the several Persons so to be elected, being neither removed nor disqualified; nor resigning, shall continue in Office and be respectively Directors until the Annual General Meeting of the said Company, which shall be held in the Month of *June* One thousand eight hundred and thirty-three, and until others shall be elected in pursuance of this Act; and the said Company at any General Meeting shall have Power to fix what Remuneration (if any) shall from Time to Time be allowed to the Directors of the said Company.

The First General Meeting to choose Directors.

LVIII. Provided always, and be it further enacted, That if at any General Meeting except the First, or if at any Special General Meeting, there shall not be Twenty Persons present who shall be possessed of at least One hundred Shares in the Aggregate, within One Hour from the Time appointed for such Meeting no Choice of Directors shall be made, nor shall any Business be done, but in such Case there shall be another Meeting of the said Company at the same Place at the Expiration of Seven Days then next; and if at such adjourned Meeting there shall not be Twenty Persons present who shall be possessed of at least One hundred Shares in the Aggregate, within One Hour from the Time appointed for such adjourned Meeting, such adjourned Meeting shall stand adjourned to the Seventh

General Meetings to consist of not less than 20 Persons possessed of 100 Shares.

Seventh Day next following, and so from Time to Time as often as the Case shall happen, until at some Adjournment of such General Meeting there shall be a sufficient Number of Proprietors present as last aforesaid, when the Meeting shall proceed to Business; and the Directors for the Time shall continue to act and have the same Powers as they had and were possessed of until new Directors shall be appointed as aforesaid.

Notice of
adjourned
Meetings.

LIX. Provided always, and be it further enacted, That Notice of every adjourned Meeting shall be given by Advertisement in some Three or more *London Newspapers*.

Service of
Directors.

LX. And be it further enacted, That at the General Meeting to be held in the Month of *June* which will be in the Year One thousand eight hundred and thirty-three Three of the then Directors (to be determined by Lot among themselves) shall go out of Office and cease to be Directors of the said Company, and Three Persons shall be elected by the said Company to be Directors in their Place and Stead; and at the General Meeting to be held in the Month of *June* in the Year of our Lord One thousand eight hundred and thirty-four Three others of the Directors who shall have been so primarily elected as aforesaid, or of the Directors who shall have been elected in their Place or Stead, in pursuance of the Authority for that Purpose herein-after contained, (to be determined by Lot among themselves, and not being any Director who may have gone out of Office and have been re-elected,) shall go out of Office and cease to be Directors of the said Company, and their places shall be supplied in like Manner; and at the General Meeting to be held in the Month of *June* which will be in the Year of our Lord One thousand eight hundred and thirty-five Three others of the Directors who shall have been so primarily elected as aforesaid, or of the Directors who shall have been elected in their Place or Stead, (to be determined by Lot among themselves, and not being any Director who may have gone out of Office and been re-elected,) shall go out of Office and cease to be Directors of the said Company, and their Places shall be supplied in like Manner; and at the General Meeting to be held in the Month of *June* which will be in the Year of our Lord One thousand eight hundred and thirty-six the remaining Three of the Directors who shall have been so primarily elected as aforesaid, or of the Directors who shall have been elected in their Place or Stead, (and not being any Director who shall have gone out of Office and been re-elected,) shall go out of Office and cease to be Directors of the said Company, and their Places shall be supplied in like Manner; and at the General Meeting to be held in the Month of *June* in every subsequent Year Three of the Directors who shall have been longest in Office shall go out of Office and cease to be Directors of the said Company, and their Places shall be supplied in like Manner.

Five Di-
rectors to
form a
Quorum.

LXI. And be it further enacted, That all the Powers and Authorities hereby given to and vested in the Directors for the Time being of the said Company shall and may at all Times and in all Cases, and for all Constructions and Purposes, be exercised by any Five or more of the same Directors.

LXII. And

LXII. And be it further enacted, That when and so often as any Director elected by virtue of this Act shall die, or shall resign or shall become disqualified or incompetent to act as Director, or shall cease to be a Director from any other Cause than that of going out of Office by Ballot or Rotation as aforesaid, it shall be lawful for the remaining Directors to elect some other Proprietor duly qualified to be a Director; and every such Proprietor so elected to fill up any such Vacancy shall continue in Office so long only as the Person in whose Place or Stead he may be elected would have been entitled to continue had he lived and remained in Office.

For supply-
ing Vacan-
cies among
the Di-
rectors.

LXIII. And be it further enacted, That at such First General Meeting of the said Company to be held as herein-before mentioned, or at some Meeting to be held by Adjournment from such General Meeting, Three Persons, who shall be Proprietors and respectively possessed in their own Right of Ten Shares at the least in the said Undertaking, shall be elected and chosen Auditors of the said Company, by whom the Report of the Receipts and Disbursements of the Company, to be prepared by the Directors of the said Company previously to the holding of the Annual General Meetings of the said Company as herein-after is provided, shall be examined; and the Accounts from which such Report shall or ought to have been drawn shall be audited by the said Auditors, or any Two of them; and in order thereto the said Auditors, or any Two of them, shall, with the Assistance of the Treasurer and Clerks and other Officers of the said Company, inspect and examine all the Books, Papers, and Vouchers of the said Company which they shall think necessary; and after a careful Examination of such Report with such Books, Papers, and Vouchers, and correcting or altering the same if necessary, such Auditors or any Two of them shall, previously to the Day on which such Annual General Meeting is to be held at which such Report must be produced, sign their Names at the Foot thereof in Testimony of their Approbation of the same: Provided always, that in case the said Auditors or any Two of them shall in the Exercise of their Discretion, think it fitting or necessary to make any Observations upon any Part of the Accounts of the said Company produced to them, or shall disapprove of the Manner in which such Accounts are kept, they shall subjoin such Observations or Disapprobation to the said Report, and shall sign the same.

Auditors
may be
appointed.

LXIV. And be it further enacted, That at the General Meeting of the said Company to be held in the Month of *June* in the Year One thousand eight hundred and thirty-three One of the Auditors who shall be so elected as aforesaid (to be determined by Lot among themselves) shall go out of Office and cease to be an Auditor of the said Company, and another Person, qualified as aforesaid, shall be elected an Auditor of the said Company in his Place and Stead; and at the General Meeting to be held in the Month of *June* in the Year One thousand eight hundred and thirty-four One of the Two remaining Auditors who shall have been so primarily elected as aforesaid, or of the Auditors to be appointed in their Place or Stead (to be determined by Lot between them), and not being an Auditor who shall have gone out of Office and been re-elected, shall in like Manner

Service of
Auditors.

go out of Office and cease to be an Auditor of the said Company, and his Place shall be supplied in like Manner; and at the General Meeting to be held in the Month of *June* One thousand eight hundred and thirty-five the remaining Auditor who shall have been so primarily elected, or the Auditor who shall have been elected in his Place or Stead, shall go out of Office and cease to be an Auditor of the said Company, and his Place shall be supplied in like Manner; and at the General Meeting to be held in every subsequent Year the Auditor who shall have been longest in Office shall go out of Office and cease to be an Auditor of the said Company, and his Place be supplied in like Manner.

For supply-
ing Vacan-
cies among
the Au-
ditors.

LXV. And be it further enacted, That when and as often as any Auditor elected by virtue of this Act shall die, or shall resign or shall become disqualified or incompetent to act as an Auditor, or shall cease to be an Auditor by any other Cause than that of going out of Office by Ballot or Rotation as aforesaid, it shall be lawful for the Directors to appoint some other Proprietor duly qualified to be an Auditor; and every such Proprietor so appointed to fill up any such Vacancy shall continue in Office only until the next Annual General Meeting of the said Company, when the Appointment of such Person to such Office shall either be confirmed, or such other fit Person be appointed to succeed to such Office, as the Proprietors present at such Meeting shall think proper.

Directors
and Auditors
to be re-
eligible.

LXVI. Provided always, and be it further enacted, That every Director and Auditor who shall by Ballot or Rotation go out of Office as aforesaid, may be immediately or at any future Time re-elected by the said Company a Director or Auditor of the said Company.

No Person
holding Of-
fice to be a
Director or
an Auditor.

LXVII. Provided always, and be it further enacted, That no Person holding any Office, Place, or Employment, or being concerned or interested in any Contract under the said Company, shall be capable of being chosen, or, being chosen, of continuing a Director or Auditor of the said Company; nor shall any Director or Auditor be capable of accepting any Office, Place, or Employment, or of taking or being concerned or interested in any Contract under the said Company, during the Time he shall be a Director or Auditor of the said Company.

If any Di-
rector or
Auditor
become dis-
qualified, his
Office to be
vacant.

LXVIII. Provided always, and be it further enacted, That if any Director shall after his Election cease to hold Twenty Shares at the least in his own Right in the Capital of the Company, or if any Auditor after his Election or Appointment shall cease to hold Ten Shares in his own Right in the Capital of the Company, his Office shall thereupon become vacant.

Proprietors
may remove
Directors
and Auditors
for Miscon-
duct.

LXIX. Provided always, and be it further enacted, That it shall be lawful for the Proprietors of the said Company, at any Special General Meeting summoned for the Purpose, to remove from his Office any Director or Auditor, for Misconduct in Office, or other reasonable Cause.

LXX. And

LXX. And be it further enacted, That the Directors or the Majority of the Directors present at the first Meeting of Directors which shall be held next after the first Appointment of Directors, and so at the first Meeting of Directors which shall be held next after the General Meeting in the Month of *June* in each and every Year, or at the first Meeting held next after the Election of the Three new Directors in the Place of the like Number of Directors hereby required to go out of Office by Ballot or Rotation as aforesaid, shall choose out of the Directors of the said Company a Chairman and Deputy Chairman of the said Company for the Year ensuing: Provided always, that when and so often as the Chairman or Deputy Chairman to be chosen by virtue of this Act shall die, or resign, or become disqualified, or otherwise cease to be a Director, it shall be lawful for the Directors in like Manner, at the Meeting to be held next after such Vacancy shall occur, to choose some other of the said Directors to be Chairman or Deputy Chairman; and every such Chairman or Deputy Chairman so to be chosen as last aforesaid to fill such Vacancy shall continue in his Office so long only as the Person in whose Place or Stead he may be so elected would have been entitled under the Provisions of this Act to continue if such Death, Resignation, Disqualification, or Cesser had not happened.

Chairman and Deputy Chairman of Directors to be appointed.

LXXI. Provided always, and be it further enacted, That if any Person who shall be elected a Director, or be elected or appointed an Auditor of the said Company, shall at any Time subsequently to his Election or Appointment accept or continue to hold any other Office or any Place of Trust or Profit under the said Company or shall, either directly or indirectly, be concerned in any Contract for any Article to be used or consumed by the said Company, or shall offer to take and proceed in taking, or shall participate in any Manner in any Work to be done for the said Company, every such Person shall thereby become disqualified from acting as Director or Auditor, and his Office shall thereupon become vacant.

Directors or Auditors contracting for Works, &c. after Election disqualified.

LXXII. And be it further enacted, That at all General Special Meetings of the said Company the Chairman, and in his Absence the Deputy Chairman of the said Company, or, in the Absence of both Chairman and Deputy Chairman, some one of the Directors of the said Company, to be chosen at such Meeting, or in the Absence of all the Directors some Proprietor to be chosen at such Meeting, shall preside as Chairman.

At Meetings of the Company, Chairman or Deputy Chairman to preside.

LXXIII. And be it further enacted, That the Directors for the Time being shall have the Custody of the Common Seal of the said Company, with Power to use the same on the Behalf of the said Company, and shall have full Authority to meet, and adjourn, from Time to Time and from Place to Place, and also at any Time to call Special and General Meetings of the said Company for any Purpose they may think proper, and also (subject to the Provisions of this Act) to appoint the Times and Places of holding General or Special General Meetings; and all Questions, Matters, or Things which shall be discussed or considered at any Meeting of Directors shall be determined by the Majority of the Directors then present; and no Director, although possessed of many

Powers and Duties of Directors.

many Shares in the said Undertaking, shall have more than One Vote at any such Meeting, except the Chairman of such Meeting, who, in case of an equal Division, shall always have a Second or Casting Vote as such Chairman; and such Directors shall have full Power and Authority to do all Acts whatever which the said Company are by this Act authorized to do (except as herein-after mentioned) for the Management and Direction of the Affairs of the said Company, and for that Purpose to purchase Lands, Tenements, and Hereditaments for the Purposes of this Act, and to sell Lands, Tenements, and Hereditaments hereby authorized to be sold, and to appoint and displace all Officers and Servants of the said Company, (except the Treasurer and Clerk, herein-before directed to be appointed by a General Meeting of the said Company,) and to allow to such Officers and Servants such Salaries, Gratuities, or Recompences as to the said Directors shall seem proper; and upon the Death, Resignation, or Removal of any of the said Officers or Servants, from Time to Time to appoint others in their respective Places, and also to make Contracts and Bargains touching the said Undertaking, and to regulate the Mode of Interment in the said Cemetery, and the Disposition of 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 said Chapel or in any other Part of the said Cemetery, and to do and transact all other Matters and Things, which shall be requisite to be done and transacted for the Direction and Management of the Affairs of the said Company; and the said Directors may require and take such Security to the said Company from any Officer or other Person, for the faithful Execution of his Duty, as they may think proper; and the said Directors shall in all Things obey the Orders and Directions of the General and Special General Meetings of the said Company.

Meetings of Proprietors may be specially convened.

LXXIV. And be it further enacted, That any Ten or more Proprietors of the said Company, holding in the Aggregate Fifty Shares or upwards in the said Undertaking, upon which all Calls actually previously made shall have been paid and satisfied, may at any Time, by Writing under their Hands left at the Office of the said Company, require the Directors of the said Company to call a Special General Meeting of Proprietors of the said Company, so as such Requisition fully express the Object for which such Special General Meeting is required to be called; and in case of Neglect or Refusal of the said Directors to call such Meeting for the Space of Twenty-one Days next after such Notice in Writing shall have been so given as aforesaid, the same may be called by such Ten or more Proprietors, by giving Fourteen Days Notice thereof in some Three or more of the *London Newspapers*; and the said Company are hereby authorized to meet in pursuance of such Notice, and such of the Proprietors thereof as shall be present shall proceed to the Execution of the Powers by this Act given to the said Company with respect to the Matters so specified in such Notice; and all Acts of the major Part in Votes of the Proprietors of the said Company, met together at any such Special General Meeting, shall be as valid, with respect to the

Matters

Matters specified in such Notice, as if the same had been done at a General Meeting held at the Time herein-before appointed for holding the same.

LXXV. And be it further enacted, That no Business shall be transacted at any Special General Meeting other than the Business for which it shall have been called; and no Business shall be transacted at any adjourned General or adjourned Special General Meeting other than the Business left unfinished at the Meeting from which such Adjournment took place.

Business at Special and adjourned General Meetings.

LXXVI. Provided always, and be it further enacted, That all Notices herein directed to be given of any General or Special General Meeting of the Proprietors of the said Company, or of any Adjournment thereof respectively, or to any of the said Proprietors, and not herein otherwise provided for, shall be signed by the Chairman or Deputy Chairman of the said Company, or by the Proprietor who may be elected Chairman at any such Meeting, or by the Clerk of the said Company, and shall be given by Advertisements inserted in some Three or more of the *London* Newspapers; and such Notices, when so published and given, shall be deemed and considered the same as if personally served.

Notice of Meetings, how to be given.

LXXVII. And be it further enacted, That the Orders and Proceedings of every Meeting, as well General as Special, of the said Company and of the said Directors, shall be entered in distinct and proper Books to be provided and kept for that Purpose, and shall be signed by the Chairman of each respective Meeting; and such Orders and Proceedings, when so entered and signed, shall be deemed original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts, and before all Judges, Justices, and others, and that without Proof of such Meeting having been duly convened, or of the Persons making or entering such Orders or Proceedings being Proprietors or being Directors, as the Case may be.

Orders and Proceedings to be entered in a Book.

LXXVIII. And be it further enacted, That the said Directors shall cause proper Books to be kept by a Book-keeper or Book-keepers, or by some other fit and sufficient Person or Persons who shall be expressly appointed by the said Directors for that Purpose; and such Book-keeper or Person or Persons shall enter or cause to be entered in the said Books true and regular Accounts of all Sums of Money which shall have been disbursed and paid; and such Books shall at all reasonable Times be open to the Inspection of any of the Proprietors of the said Company, or of any Creditor for any Money to be borrowed under this Act, without Fee or Reward; and the said Proprietors or any Creditor shall and may take Copies of or Extracts from the said Books or any of them, or of any Part thereof respectively, without paying any thing for the same; and in case the said Book-keeper or other Person or Persons shall refuse to permit or shall not permit the said Proprietors or any such Creditor to inspect any such Book or Books, or to take such Copies or Extracts as aforesaid, such Book-keeper or other Person or Persons shall forfeit and pay any Sum not exceeding Twenty Pounds, to

Directors to cause Accounts to be kept.

be levied and applied in the same Manner as other Penalties are by this Act directed to be levied and applied.

Officers to
account.

LXXIX. And be it further enacted, That every Officer and Person who shall be employed by virtue of this Act shall from Time to Time, when thereunto required by the said Company or by the said Directors, make out and deliver to the said Company or the said Directors, or to such Persons as they shall respectively for that Purpose appoint, a true and perfect Account, in Writing under his or her Hand, of all Monies which shall have been by him or her received by virtue of this Act, stating how and to whom and for what Purpose the same shall have been disposed of, together with Vouchers and Receipts for such Payments; and every such Officer or Person shall pay all such Monies as upon the Balance of such Account shall appear to be owing from him or her to the Treasurer of the said Company, or to such Persons as the said Company or Directors shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render such Account, or to produce and deliver up such Vouchers and Receipts relating to the same, or to pay the Balance thereof, when required in manner aforesaid, or shall refuse or neglect to deliver up to the said Company or to the said Directors, or to such Person as they respectively shall appoint, within Three Days after being thereunto required by the said Company or by the said Directors, or by such other Persons as last aforesaid, all Books, Papers, Vouchers, and Writings in his or her Custody or Power, relating to the Execution of this Act, then and in every such Case, Complaint being made thereof by the said Company or by the said Directors, or by any other Person on their Behalf, to any Justice of the Peace for the County or Place in which such Officer or Person shall be or reside, such Justice may and he is hereby required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his or her appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and settle the said Account, if produced, in such Manner as the said Company or the said Directors might have done; and if upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath of any credible Witness or Witnesses, it shall appear to the Justice that any of the Monies which shall have been collected or received shall be in the Hands of or be owing by such Officer or Person, such Justice may and he is hereby empowered, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by a Distress and Sale of the Goods of such Officer or Person; and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Money, and the Charges of taking and making such Distress, and of selling the same, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or appearing shall not make out and deliver to such Justices such Accounts in Writing as aforesaid, or produce and deliver to the said Justice the several Vouchers and Receipts relating to such Accounts, or deliver up such Books, Papers, and Writings aforesaid, then and in any of the Cases aforesaid the said Justice may and he is hereby required, by Warrant under his Hand and Seal, to commit such
Officer

Officer or Person to some Common Gaol or House of Correction of or for the County or Place in which such Officer or Person shall live or reside, there to remain, without Bail or Mainprize, until he shall have made and delivered such Accounts, and have delivered up the Vouchers and Receipts, if any, relating thereto, and have delivered up such Books, Papers, and Writings, if any, as aforesaid, and shall have paid all the Money which shall appear to be in the Hands of or owing from him or her, and the reasonable Charges of such Distress and Sale as shall in that respect have been made, or until he or she shall have compounded with the said Company or with the said Directors for such Money and Charges, and have paid the Composition Money to the said Company or to the said Directors, (and which Composition the said Directors are hereby respectively empowered to make,) or have given Satisfaction in respect of such Vouchers, Receipts, Books, Papers, and Writings, to the said Company or to the said Directors: Provided always, that no Person who shall be committed for Want of sufficient Distress only shall by virtue of this Act be detained in Prison for any longer Space of Time than Six Calendar Months.

LXXX. And be it further enacted, That the said Directors shall, so far as the same may be practicable, cause to be prepared, previously to and to be produced at the Annual General Meeting to be held in the Month of *June* in the Year One thousand eight hundred and thirty-three, a Report, signed by Two at least of the Auditors of the Company, of the Receipts and Disbursements of the Company from the Commencement thereof up to that Time, and of the Particulars and Amount of the Funds or Property of the Company; and also a Report, under the Hands of the Chairman or Deputy Chairman, or some One of the Directors of the said Company, of the State and Condition of the Company; and shall also, so far as the same may be practicable, cause to be prepared, previously to and to be produced at every Annual General Meeting to be held after the Annual General Meeting in the Month of *June* in the Year One thousand eight hundred and thirty-three, a Report, signed by Two at least of the Auditors of the Company, of such of the Receipts and Disbursements of the Company up to that Time as shall not have been included in any preceding Report, and the Particulars and Amount of the Funds or Property of the Company, and also a Report, under the Hand of the Chairman or Deputy Chairman, or some One of the Directors of the Company, of the State and Condition of the Company.

Directors to cause a Report of the Receipts and Disbursements to be annually laid before the Proprietors.

LXXXI. And be it further enacted, That the Report which in pursuance of the Directions herein-before contained is to be produced by the Directors at every Annual General Meeting, after the same shall have been approved of, either by the Meeting at which it shall have been produced or at any subsequent General Meeting, and signed by the Chairman of the Meeting in testimony of such Approval, shall be binding and conclusive on all the Proprietors of the said Company, unless some manifest Error, and to the Amount of Fifty Pounds, shall be discovered therein, by any One or more of the Proprietors of the Company within Six Calendar Months after such Approval; and

Such Report, when confirmed, shall be binding, unless some Error discovered within Six Months.

and such Report, when such Error shall have been rectified by the Directors (which they are hereby required to do without Delay), shall be binding and conclusive on all the Proprietors.

Annual Meeting may examine Accounts.

LXXXII. Provided always, and be it further enacted, That notwithstanding the Examination of the Accounts of the Company by the Auditors it shall be competent to any Annual General Meeting to call for and examine the Accounts of the said Company and of the Directors, and of the Treasurer, Receiver, or Collectors and other Officers of the said Company, and deal therewith as they shall think fit.

Directors may appoint temporary Treasurer or Clerk.

LXXXIII. And be it further enacted, That in case any Treasurer or Clerk of the said Company shall die, or be removed from or quit the Service of the said Company, the said Company shall at their next Annual General Meeting fill up such Vacancy, and in the meantime it shall be lawful for the Directors of the said Company to appoint some other fit and proper Person to execute such Office in the Place of the Person who shall so die or be removed from or quit the Service of the said Company; and whenever any such new Appointment shall be made by the said Directors, the same shall only continue until the next Annual General Meeting of the said Company, when the Appointment of such Person to such Office shall either be confirmed, or such other fit Person be appointed to succeed to such Office as the Proprietors present at such Meeting shall think proper.

Clerk of the Company to keep Lists of the Proprietors.

LXXXIV. And be it further enacted, That the Clerk of the said Company shall, in some proper Book to be provided by the said Company for that Purpose, enter and keep a true Account of the Locality or Places of Abode of the several Proprietors of the said Undertaking, whether Corporations or Individuals, and of the several Bodies and Persons who shall from Time to Time become Proprietors thereof or be entitled to any Share therein; and every Proprietor of the said Undertaking, or, in the Case of a Corporate Body, 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; and if any such Clerk of the Company hereby incorporated shall refuse to permit any such Proprietor or Agent as aforesaid to peruse such Book at all convenient Times, or refuse to make such Copy within a reasonable Period, at the Rate aforesaid, he shall for every such Offence forfeit and pay the Sum of Five Pounds for the Benefit of the said Undertaking.

Directors empowered to make Calls.

LXXXV. And be it further enacted, That the said Directors shall have Power from Time to Time to make such Calls of Money from the Subscribers to and Proprietors of the said Undertaking, to defray the Expences of or to carry on the same, as they from Time to Time shall find necessary for those Purposes, so that no such Call shall exceed the Sum of Five Pounds upon each Share which any Person shall or may be possessed of or entitled to in the said Undertaking;

dertaking; and such Calls shall not be made but at the Distance of Three Calendar Months at the least from each other, and Twenty-one Days Notice at the least shall be given of all such Calls by Advertisement in some Three or more of the *London* Newspapers; which Money so called for shall be paid to such Persons and in such Manner as the said Directors shall from Time to Time order and appoint; and every Owner or Proprietor of any Share in the said Undertaking shall pay his or her rateable Proportion of the Money to be called for as aforesaid to such Persons and at such Times and Places as the said Directors shall from Time to Time direct and appoint; and if any Owner or Proprietor of any such Share shall not so pay such his or her rateable Proportion, then and in such Case, and so often as the same shall happen, such Owner or Proprietor shall pay Interest for the same after the Rate of Five Pounds *per Centum per Annum* from the Day appointed for the Payment thereof, up to the Time when the same shall be actually paid; and if any Owner or Proprietor of any such Share shall neglect or refuse so to pay his or her rateable Proportion, together with Interest, if any, accruing for the same, for the Space of Two Calendar Months after the Day appointed for the Payment thereof as aforesaid, then it shall be lawful for the said Company or for the said Directors to sue for and recover the same in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Wager, or Protection of Law, nor more than One Imparance, shall be allowed; or the said Company or the said Directors may and they are hereby authorized to declare the Shares belonging to any Person so refusing or neglecting to pay any such Call, together with Interest, in manner last aforesaid, to be forfeited, and to direct the same to be sold, subject to the Provisions of this Act: Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share in the said Undertaking until Notice in Writing under the Hand of the Clerk or Treasurer of the said Company, of such Share having been declared by the Directors forfeited, shall have been given or sent by the Post to, or left at the last known Place of Abode of the Proprietor of such Share or of the Clerk of such Corporation, as the Case may require, nor until the Declaration of Forfeiture thereof by the said Directors shall have been confirmed either at an Annual General Meeting of the said Company, or at a Special General Meeting of the said Company to be called for that Purpose, and to be respectively held after the Expiration of Three Calendar Months at the least from the Day on which such Notice of Forfeiture shall have been given or sent as aforesaid; and after such Forfeiture shall have been confirmed by such Annual or Special General Meeting, the said Company, by the same or any other Annual or Special General Meeting, shall have Power to direct the said Directors to dispose of the Shares so forfeited, and the said Directors may and they are hereby authorized in that Case to sell and dispose of such Shares at public Auction or by private Treaty, and together or in Lots, or in such other Manner and for such Price as they may think fit; and an Affidavit, sworn to by some credible Person not interested, before any Justice of the Peace, or Master or Master Extraordinary in the High Court of Chancery, stating that such Call had been made by the said Directors, and such Notice thereof as aforesaid

If Calls are not paid, Directors may sue for the same, or may declare the Shares forfeited and direct them to be sold.

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given,

given, and that such Default as aforesaid had been made in Payment thereof, in respect of the Share or Shares so sold, and that the same Share or Shares had been declared to be forfeited, and such Declaration had been confirmed in manner aforesaid, shall be sufficient Evidence of the Facts therein stated; and the Purchaser or Purchasers of such Share or Shares shall not be bound to see to the Application of his or their Purchase Money, nor shall his, her, or their Title to such Share or Shares be affected by any Irregularity in proceeding to such Sale.

If Purchase Money of such Shares shall be more than sufficient to pay the Arrears of Calls, Surplus to be paid to the Defaulter.

LXXXVI. Provided always, and be it further enacted, That in case the Money produced by the Sale of any such Share or Shares as shall be forfeited by reason of the Nonpayment of any Call, or the Interest thereon, as herein authorized, shall be more than sufficient to pay all such Arrears of Calls as aforesaid, and the Interest thereon as aforesaid, and the Expences attending the Sale thereof, the Surplus of such Purchase Money shall be paid, on Demand, to the Party to whom such forfeited Share shall have belonged: Provided also, that the said Company or the said Directors shall not by virtue of this Act sell or transfer more of the Shares of such Defaulter in Payment of Calls than shall be sufficient, or as near as may be, at the Time of such Sale, to pay the Arrears due from such Defaulter for or on account of such Call, and the Interest and Expences attending the same; and from and after the Payment of such Call, and the Interest and Expences aforesaid, any Share or Shares vested in the said Company as aforesaid which shall remain in their Hands unsold shall revert to and again become the Property of the Party to whom such Share or Shares shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Call had been duly paid.

Proceedings in Actions for Calls.

LXXXVII. And be it further enacted, That in any Action to be brought by the said Company or by the said Directors against any Proprietor of any Share or Shares in the said Undertaking, to recover any Money due and payable to the said Company or to the said Directors for or by reason of any Call made by virtue of this Act, it shall be sufficient for the said Company or the said Directors to declare and allege that the Defendant, being a Proprietor of a Share or so many Shares in the said Undertaking, is indebted to the said Company or to the said Directors in such Sums of Money as the Calls in arrear shall amount to, for so many Calls of such Sums of Money upon such Share or so many Shares belonging to the said Defendant, whereby an Action hath accrued to the said Company or to the said Directors by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant at the Time of making such Calls was a Proprietor of some Share or Shares in the said Undertaking, and that such Calls were in fact made, and that Notice thereof was given as is directed by this Act, without proving the Appointment of the Directors who made such Call or Calls, or any other Matter whatsoever; and the said Company or the said Directors, Plaintiffs therein, shall thereupon be entitled to recover what shall appear due (including Interest computed as aforesaid) in respect of such Calls, unless it shall appear that

any such Call exceeded Five Pounds for every Share of Twenty-five Pounds; or was made within the Space of Three Calendar Months from the last preceding Call, or without Notice given in some Three or more *London* Newspapers as aforesaid; and in order to prove that such Defendant was a Proprietor of some Share or Shares in the said Undertaking, as alleged, the Production of the Book in which the Clerk of the said Company is by this Act directed to enter and keep the Names and Additions of the several Proprietors of the Shares in the said Undertaking, with the Number of Shares they are respectively entitled to hold, and of the Locality or Places of Abode of the several Proprietors of Shares in the said Undertaking, and of the several Persons and Bodies who shall from Time to Time become Proprietors thereof, or be entitled to any Share therein, shall be *primâ facie* Evidence that such Defendant is a Proprietor, and of the Number or Amount of his Shares therein.

LXXXVIII. And whereas in Cases in which any Proprietor of any Share or Shares in the said Undertaking shall die, become insolvent or bankrupt, or go out of the Kingdom, or shall transfer his or her Right and Interest therein to some other Person, and no Register shall have been made of the Transfer thereof with the Clerk of the said Company, it may not be in the Power of any Officer acting for the said Company to ascertain who is the Proprietor of such Share or Shares, in order to give him or her, or his or her Executors, Administrators, Successors, or Assigns, Notice of Calls to be made on such Share or Shares, or to maintain any Action, Suit, or other Proceeding against him or them, or his or her Executors, Administrators, Successors, or Assigns, for the Recovery of the same; be it therefore further enacted, That in all Cases where the Right of Property in any Share or Shares in the said Undertaking shall pass from the original Subscriber or any Proprietor thereof to any other Person, or to any Body Corporate, by any other legal Means than by a Transfer or Conveyance thereof in the Form and Manner herein specified, or herein otherwise provided, an Affidavit shall be made and sworn to by some credible Person before any of His Majesty's Justices of the Peace, or before any Master or Master Extraordinary in the High Court of Chancery, stating the Manner in which such Share hath passed or been transferred to such other Person, or to such Body Corporate; and such Affidavit shall be delivered to and be left with the Clerk of the said Company, to the Intent that he may preserve the same, and enter and register the Name of every such Proprietor, or the Description of every such Body Corporate, in the Register Book or List of Proprietors of the said Undertaking to be kept in the Office of the said Company; and in all or any of the said Cases, after Twenty-one Days Notice in Writing shall have been given by the said Directors, under the Hand of the Clerk or Treasurer of the said Company, to the Person or Corporation stated or claiming in such Affidavit to be the Owner or Owners of such Share, or left at the last or usual Place of Abode of such Person, or of the Clerk of such Corporation (as the Case may require), to pay his, her, or their Proportion of Money to be called for, and such Person or Corporation shall not have paid such his or her or their Proportion as aforesaid, it shall be law-
ful

For ascer-
taining the
Proprietor-
ship of
Shares in
certain
Cases.

ful for the said Company, at any General Meeting or Special General Meeting after the Expiration of such Notice, to declare such Shares to be forfeited; and in such Case the same shall become forfeited, and shall and may be disposed of in such Manner, on such Evidence of Title, *mutatis mutandis*, and with such Powers, and with such Indemnity to Purchasers, as in other Cases of Sales of Shares forfeited for the Nonpayment of Calls, or such Shares shall otherwise become consolidated in the general Fund of the said Company; and in case there shall be no such Affidavit made as aforesaid, then such Notice as is herein-before directed to be given shall be served upon or left at the last Place of Abode of the Executors or Administrators of such Proprietor so dying, or of the Assignees or Trustees of such Proprietor so becoming bankrupt or insolvent, or, in the Event of the Share or Shares being disposed of as aforesaid, of the last Proprietor appearing in the Books of the said Company to have been possessed of the same; and in case the last or usual Place of Abode of such Proprietor cannot be ascertained upon Enquiry, such Notice shall be inserted once in the *London Gazette*; and in case any Proprietor shall go out of the Kingdom, such Notice shall be inserted in the *London Gazette* as aforesaid; and in all such Cases, and after such Notices, on Default being made, the said Shares shall be forfeited, and shall and may be sold, or otherwise become consolidated in the general Fund of the said Company in manner aforesaid; and the like Evidence of Title, *mutatis mutandis*, shall be sufficient in any Sale, and the like Indemnity to the Purchaser or Purchasers shall exist as in other Cases of Sales for Nonpayment of Calls; provided that in Cases of Proprietors being Abroad the Shares shall not be forfeited until the Expiration of Six Calendar Months after the Day on which Notice shall have been left at their last usual Place of Abode in *England*, and inserted in the *London Gazette* as aforesaid.

Proprietors
in arrear
not to vote.

LXXXIX. Provided always, and be it further enacted, That no Proprietor of any Share on which any Call made shall remain unpaid shall at any Meeting of the Proprietors of the said Company be allowed to vote, either personally or by Proxy, until the Money payable in respect of such Share pursuant to such Call shall have been fully paid, although the Time limited for Payment thereof may not have expired.

Shares may
be sold.

XC. And be it further enacted, That it shall be lawful for the several Proprietors of any Share or Shares in the said Undertaking, and his, her, or their respective Executors or Administrators, from and after Payment of the Sum of Fifteen Pounds *per* Share by him, her, or them, on any Share or Shares holden by him, her, or them in the said Undertaking, but not before, to sell and dispose of any such Share or Shares in respect of which he, she, or they shall have so paid the Sum of Fifteen Pounds, subject to the Rules and Conditions herein mentioned and provided; and the Form of Conveyance of Shares may be in the following Words, or to the like Effect, varying the Names and Descriptions of the contracting Parties as the Case may require; (that is to say,)

I of _____ of _____, in consideration
 of _____ paid to me by _____ Form of
 to the said _____, do hereby assign and transfer Transfer of
may be,] numbered _____ Share [or Shares, as the Case Shares.
 called "The General Cemetery Company," upon which Share [or
 upon each of which Shares] the Sum of _____
 hath been paid; to hold the same unto the said _____
 his or her Executors, Administrators, and Assigns, subject to the
 same Conditions as I held the same immediately before the Ex-
 ecution hereof; and I the said _____ do hereby
 agree to accept and take the said Share [or Shares] subject to
 the same Conditions. As witness our Hands and Seals, the
 Day of _____

And on every such Sale the said Deed or Conveyance, being executed by the Seller or Sellers, and the Purchaser or Purchasers of such Share or Shares, shall be kept by the Clerk of the said Company, who shall enter in some Book to be kept for that Purpose a Memorial of such Transfer and Sale, and indorse the Entry of such Memorial on the said Deed of Sale or Transfer, for which Entry and Indorsement the Sum of Two Shillings and Sixpence, and no more, shall be paid by the Purchaser or Purchasers to the said Clerk; and the said Clerk is hereby required to make such Entry or Memorial accordingly, and, upon Request, to indorse a Memorial of such Transfer on the Back of the Certificate of each Share so sold, and deliver the same to the Purchaser, for his or her Security, for which Indorsement the Sum of Two Shillings and Sixpence, and no more, shall be paid; and until such Memorial shall have been made and entered as herein declared, such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Undertaking, nor any Interest for such Share or Shares paid to him, her, or them, nor any Vote or Votes in respect thereof as a Proprietor or Proprietors of the said Undertaking.

XCI. And be it further enacted, That no Person shall sell or transfer any Share which he or she shall possess in the said Undertaking, after any Call shall have been made by the said Directors for any Sum of Money in respect to such Share, unless he or she, at the Time of such Sale or Transfer, shall have paid or discharged to the Treasurer of the said Company, or to such Person or Persons as the said Directors shall appoint to receive the same, the whole and entire Sum of Money which shall have been called for in respect of each Share so sold or transferred, with any Interest due thereon. No Shares to be sold till Calls are paid.

XCII. And be it further enacted, That the said Company, or the Directors of the said Company, shall and they are hereby required to cause a true and particular Account to be kept, and annually made up and balanced to some Day in the Month of *May* or *June* in each Year, (and also half yearly to some Day in the Month of *November* or *December* in each Year, if any General or Special General Meeting of the said Company shall from Time to Time Accounts to be made up annually, and Dividend declared.
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so direct,) of the Money received by the said Company, or by the Directors or Treasurer of the said Company, or otherwise, for the Use of the said Company, by virtue of this Act, and of the Charges and Expences attending the making, maintaining, and carrying on the said Undertaking, and of all other the Receipts and Expenditure of the said Company or of the said Directors up to the Period at which such Account shall be made up and balanced; and at the subsequent Yearly Meeting of the Proprietors of the said Undertaking next after such Day in the Month of *May* or *June*, or at the subsequent General or Special General Meeting of the said Proprietors next after such Day in the Month of *November* or *December*, (if the said Account shall be so directed to be made up and balanced at any Day in either of the said last mentioned Months,) to be from Time to Time held as aforesaid, or at some Adjournment thereof respectively, a Dividend shall be made out of the clear Profits of the said Undertaking, unless such Yearly Meeting or such Special General Meeting shall declare otherwise; and such Dividend shall be at and after the Rate of so much *per* Share upon the several Shares held by the Members thereof in the Joint Stock of the said Company, as such Meeting shall think fit: Provided also, that no Dividend shall be declared or paid until the Yearly General Meeting which shall be held next after the Expiration of Two Years from the passing of this Act; provided also, that no Dividend shall be paid in respect of any Share after a Day appointed for Payment of any Call of Money in respect thereof until such Call shall have been paid.

Directors empowered to make Dividends at intermediate Times.

XCIII. Provided always, and be it further enacted, That notwithstanding any thing herein contained it shall be lawful for the said Directors, and they are hereby empowered, to declare a Dividend or Dividends at such intermediate Time or Times between the said Annual Meetings as the said Directors shall think fit, so as the other Regulations herein-before contained respecting the declaring and Payment of Dividends be not infringed.

Fund for Repayment of Money borrowed to be set aside before Dividend declared.

XCIV. And be it further enacted, That previously to any Dividend being declared out of the net Profits of the said Undertaking, the said Directors shall and they are hereby required to set apart One Tenth Part of such net Profits to form a Fund for the Purposes herein-after mentioned, and the remaining Nine Tenth Parts only of such Profits shall be divisible between the Proprietors of the said Company (any thing herein-before contained to the contrary notwithstanding): Provided always, that in case the said Company shall not raise any Money upon Mortgage of the said Undertaking, or, having raised any Money, such Money shall have been all paid off, then the whole of the net Profits shall be divisible among the Proprietors.

Reserved Fund to be invested, and Dividends to be also invested

XCV. And be it further enacted, That it shall be lawful for the said Directors and they are hereby required from Time to Time to lay out and invest in the Names of Three Trustees, for and on behalf of the said Company, such Trustees to be nominated by the said Directors, such One Tenth Part of the net Profits, as and when the same may be set apart

as aforesaid, in the Three Pounds *per Centum* Consolidated or Reduced Bank Annuities, or both or either of such Stocks, as the said Directors shall deem expedient, and from Time to Time to lay out and invest the Dividends and Interest arising from such Stocks or Funds in the same Stocks or Funds, and in order that the same may accumulate at Compound Interest until the Fund so formed shall be sufficient to pay off the whole of the Money borrowed, when the Fund so accumulated shall be sold out and distributed between the said several Mortgage Creditors of the said Company in Discharge and Satisfaction of their said several Mortgage Securities: Provided always, that nothing herein contained shall prevent the said Company from paying off and discharging, at any Time, with the Consent and Approbation of the Person lending the same, any Sum of Money borrowed upon the Security of the said Undertaking, so that the reserve Fund herein-before directed to be accumulated be not thereby broken in upon.

until a certain Event.

XCVI. And whereas by the Death of or by other after-mentioned Events happening to Proprietors, or by the Marriage of Female Proprietors of Shares in the said Undertaking, it may be difficult to ascertain to whom the Dividends arising or becoming due upon such Shares ought to be paid; be it therefore enacted, That before any Person who shall claim any Part of the Profits of the said Undertaking in right of Marriage with any Female Proprietor shall be entitled to receive the same, or be entitled to vote in respect of any Share, an Affidavit (or solemn Affirmation by any Person of the Society of Quakers) in Writing, containing a Copy of the Register of such Marriage, or other Particulars of the Celebration thereof, and identifying the Wife as the Proprietor of the Share in respect whereof any such Claim may be made, shall be made and sworn to, or solemnly affirmed to, by some credible Person, before some Master or Master Extraordinary in Chancery, or any of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk of the said Company, who shall file the same, and make an Entry thereof in the Book which shall be kept for the Entry of Transfers or Sales of Shares in the said Undertaking; and before any Person who shall claim any Part or Share of the Profits of the said Undertaking, by virtue of any Bequest or Will, or in the Course of Administration, shall be entitled to receive the same, or be entitled to vote in respect of any Share, the said Will, or the Probate thereof, or the Letters of Administration, shall be produced and shewn to the said Clerk, or a Copy of so much of such Will or of such Letters of Administration as shall relate to the Share of the Testator or Intestate (as the Case may require) shall be made and sworn to or solemnly affirmed to by the Executors of the said Will, or the Administrators of the Intestate, before some Master or Master Extraordinary in Chancery, or any of His Majesty's Justices of the Peace as aforesaid, together with an Official Extract of the Act of Court, or the Grant of Probate of such Will, or (in case of Intestacy) of the Letters of Administration, shall be transmitted to the said Clerk, who shall file and enter the same as herein-before mentioned; and in all Cases other than as herein-before mentioned, where the Right and Property of any Share in the said Undertaking shall pass from any Proprietor thereof to any other Person by any other legal Means than by a Transfer and Conveyance thereof, duly made and executed

For ascertaining the Proprietorship of Shares in the Case of the Marriage or Death of the Proprietors.

executed as herein-before directed, an Affidavit or solemn Affirmation in Writing shall be made and sworn to or solemnly affirmed to by some credible Person, before some Master or Master Extraordinary in Chancery, or any of His Majesty's Justices of the Peace as aforesaid, stating the Manner in which such Share hath passed or been transferred to such other Person; and such Affidavit or solemn Affirmation shall be transmitted to the Clerk of the said Company, who shall thereupon enter and register the Name of every such new Proprietor in the Register Book or List of Proprietors of the said Company; and the said Clerk shall be entitled to receive, for each such Entry as herein-before directed, the Sum of Two Shillings and Sixpence and no more; and the said Company shall not be bound to see to the Execution of any Trust, whether expressed or constructive, to which any Share aforesaid shall be subject or liable.

Receipt of
One Pro-
prietor of
Shares
sufficient.

XCVII. And be it further enacted, That the Receipt of the Person or any One of the Persons in whose Name or Names any Share or Shares in the said Undertaking shall stand in the Books of the said Company shall from Time to Time be a sufficient Discharge to the said Company, and to the Directors and Treasurer for the Time being of the said Company, for any Dividend or Dividends or other Sum or Sums of Money which shall become payable and be paid for or in respect of such Share or Shares, notwithstanding any Uses or Trusts upon or to which such Share or Shares shall be then settled, conveyed, or assigned.

Declaring
what shall
be good Ser-
vice of No-
tice on the
Company.

XCVIII. And be it further enacted, That in all Cases in which it may be necessary for any Person or Corporation to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Company, Service thereof respectively upon any Two of the Directors of the said Company, or delivering the same to some Inmate of the last or usual Places of Abode of such Directors, or upon the Clerk or Treasurer of the said Company, or left at the Office of such Clerk or Treasurer, or delivering the same to some Inmate of the last or usual Place of Abode of such Clerk or Treasurer, or leaving a Copy or Copies thereof at the principal Office of the said Company; or, in case the same respectively shall not be found or known, the Service upon any other Agent of or Officer employed by the said Company, or delivering the same to some Inmate of the last or usual Place of Abode of such Agent or Officer, shall be deemed good and sufficient Service of the same respectively on the said Company.

Declaring
what shall
be good Ser-
vice of No-
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said Com-
pany.

XCIX. And be it further 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, under the Provisions or Directions contained in this Act, such Notice shall or may be in Writing or in Print, or partly in Writing and partly in Print, and be signed by the Clerk for the Time being of the said Company, or by the Treasurer of the said Company, without being required to be under the Common Seal of the said Company; 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 Member of such Corporation,
or

or to some Inmate of the last or usual Place of Abode of such Member, or 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, except in Cases in which any other Mode of giving such respective Notices is by this Act particularly directed.

C. And be it further enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before any Justice of the Peace touching any Matter or Fact contained or involved in or affecting any Information or Complaint for any Offence committed against this Act, either on the Part of the Prosecutor or on the Part of the Party summoned or accused, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for his or her Costs and Expences, without a reasonable Excuse for his or her Refusal or Neglect, or appearing shall refuse to be examined upon Oath, or (in case of a Quaker, on solemn Affirmation,) to give Evidence before such Justice, then and in either of the said Cases every such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

For compelling Witnesses to attend.

CI. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under this Act, or otherwise, against or for or on behalf of the said Company, and also in all Proceedings commenced or instituted by or on behalf of the said Company, and in all Arbitrations, References, or other Proceedings in or consequent upon or arising out of any such Actions, Suits, or Proceedings, it shall be lawful for any Two or more of the Directors of the said Company, for and on behalf of the said Company, to make, sign, seal, execute, and deliver such general or other Release or Releases as may be or may be deemed necessary for the Purpose of exonerating, releasing, and discharging any Person who shall or may be produced as a Witness in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding as aforesaid, from any Claim or Demand which may be necessary to be released by the said Company, so as to qualify such Person to give Evidence as a Witness in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding aforesaid; and also to do any other Act, Matter, or Thing in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding which any Plaintiff or Defendant may do in any Action, Suit, or Prosecution; Arbitration, Reference, or other Proceeding; and every such Release, Act, Matter, and Thing shall be as valid and effectual in all respects, and to all Intents and Purposes whatsoever, as if the same were made under the Seal of the said Company.

Directors &c. empowered to grant Releases to Witnesses.

CII. And be it further enacted, That in all Cases in which any Costs or Expences shall be payable by the said Company, and such Costs or Expences shall not be paid to the Party entitled to receive the same within Ten Days after the same shall have been demanded, the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Company, or of the Treasurer of the said Company, (unless such Treasurer shall pay such Costs and Expences out of any Monies received by him by virtue of this Act,

Costs may be recovered by Distress on Goods of the Company.

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and which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace acting within his Jurisdiction, and not interested in the Matter in dispute; which Warrant such Justice is hereby authorized and required to issue, under his Hand and Seal, on Application made to him for that Purpose by any Party entitled to receive such Costs or Expences.

Persons injuring the Cemetery subject to a Penalty.

CIII. And be it further enacted, That if any Person shall wilfully or maliciously injure, cut, pull down, or break any Tree, Shrub, Plant, or Bank within the said Cemetery, or pull down, injure, or break any Railing, Palisado, Fence, or Wall of the said Cemetery, or of the Chapel or any Building within the said Cemetery, or any Window, Pillar, Door, Gate, or other external Part thereof, or any Part thereof, or shall daub, paint, or disfigure the external Walls of the said Cemetery or any Part thereof, or shall paste or affix any Bill or Bills or other Papers thereto, or shall write with Chalk or any other Matter thereupon, or shall play at Ball or at Fives upon or against the same, or shall wilfully or maliciously break or disfigure, or maim, injure, or deface, any Monument, Cenotaph, Tablet, Monumental Inscription, Grave Stone, Head or Foot Stone which shall be therein erected or placed, or obliterate or deface any Inscription thereon, without the Consent of the said Company or of the Directors first had and obtained, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Five Shillings, and shall also make Satisfaction for the Injury by him done as aforesaid.

Preventing Nuisances in the Cemetery.

CIV. And be it further enacted, That if any Person shall play at Football or any other Game or Sport, or discharge Fire Arms other than at a Military Funeral in the said Cemetery, or shall blow any Horn, or make any other 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 Persons shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings nor less than Five Shillings.

Proprietors may be Witnesses.

CV. And be it further 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 being a Proprietor of the said Company, or a Director, Auditor, Treasurer, Clerk, or other Officer thereof.

Recovery and Application of Penalties.

CVI. And be it further enacted, That all Penalties and Forfeitures inflicted and imposed by this Act, or by virtue of any Bye Law, Rule, or Order made in pursuance thereof, (the Manner of levying and recovering whereof is not otherwise herein particularly mentioned,) may in case of Nonpayment thereof be recovered in a summary Way by the Order and Adjudication of some Two or more Justices of the Peace for the County or Place in which such Offence shall be committed, on Complaint to them for that Purpose made, and afterwards be levied (as well as the Costs, if any, of such Proceeding on Nonpayment,) by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same,

same, by Warrant under the Hands and Seals of such Justices; and the Overplus (if any) of the Money so raised or recovered, after discharging such Penalty or Forfeiture, and the Costs and Expences as aforesaid, shall be returned, on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained; all which Penalties and Forfeitures not herein-before directed to be otherwise applied shall be paid, One Moiety to the Informer, and the Remainder to the Treasurer of the said Company, unless such Penalties or Forfeitures shall be incurred by the said Company, in which Case the same shall be paid, One Moiety to the Informer, and the Remainder to the Poor of the Parish or Place in which such Offence shall be committed, to be applied by such Overseers for the Benefit of the Poor of such Parish or Place; and in case such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justices and they are hereby required to order the Offender or Offenders so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant of Distress, unless such Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justices, for his, her, or their Appearance before such Justices, or before some other Justices of the Peace having Jurisdiction, at such Time as shall be appointed for the Return of such Warrant of Distress (such Time not being more than Eight Days from the taking of such Security, and which Security any of the said Justices are hereby empowered to take by Way of Recognizance or otherwise); but if upon the Return of such Warrant it shall appear that no sufficient Distress could be had whereupon to levy the said Penalties or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justices, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath not or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, such Justices shall not be required to issue such Warrant of Distress, but in such Case it shall be lawful for such Justices, and they are hereby required, by Warrant under their Hands and Seals, to commit such Offender or Offenders to some Common Gaol or House of Correction for the County or Place within their Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, or until such Penalty or Forfeiture shall be sooner paid and satisfied, together with all the Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, or until such Offender or Offenders shall be otherwise discharged by due Course of Law.

CVII. And be it further enacted, That in all Cases wherein Damages or Charges are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by some Two or more Justices of the Peace; and where by this Act any Damages or Charges are directed to be paid, in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be settled and determined by the Justices by or before whom
any

Damages and Charges, in case of Dispute, to be settled by Justices.

any Offender shall be convicted of such Offence; and such Justices respectively are hereby authorized and required, on Nonpayment of the Damages in any of the Cases aforesaid, to levy such Damages and Charges by Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeitures.

Justices may proceed by Summons for Recovery of Penalties.

CVIII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before a Justice of the Peace, it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him or her to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing shall have been exhibited before such Justice; and all such Proceedings by Summons, without Information in Writing, shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing had been exhibited.

For securing Offenders whose Names and Places of Abode are unknown.

CIX. And be it further enacted, That it shall be lawful for any Officer or Agent of the said Company, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose Name and Place of Abode shall be unknown to such Officer or Agent, who shall commit any Offence against this Act, and to convey him or her before some Justice of the Peace for the County or Place within which such Offence shall be committed, without any other Warrant or Authority than such Act; and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

Forms of Information and Conviction.

CX. And be it further enacted, That all Justices of the Peace before whom any Person shall be informed against or convicted of or in respect of any Offence against this Act may cause the Information (whenever an Information shall be taken in Writing or in Print) and the Conviction respectively to be drawn up according to the following Form, or any other Form or Forms to the same Effect, as the Case may require; (that is to say,)

Form of Information.

‘ [County] } BE it remembered, That on the
 ‘ to wit. } Day of
 ‘ of informeth me C. D.
 ‘ , One of His 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 Second Year of
 ‘ the Reign of His Majesty King William the Fourth, intituled
 ‘ [insert the Title of this Act], which hath imposed a Forfeiture of
 ‘ for the said Offence.
 ‘ Taken the Day of
 ‘ before me, C. D.

[County] } BE it remembered, That on the
 to wit. } Day of
 A. is con-
 victed before me, C. D.
 One of His Majesty's Justices of the Peace for the County of
 [here describe the Offence, and
 the Time and Place when and where committed], contrary to an Act
 passed in the Second Year of the Reign of His Majesty King
 William the Fourth, intituled [here set forth the Title of this Act].
 Given under my Hand and Seal, the Day and Year first above
 written.

Form of
 Conviction.

CXI. And be it further enacted, That where any Distress shall be
 made for any Money to be levied by virtue of this Act, the Distress
 itself shall not be deemed unlawful, nor any Party making the same
 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 which shall afterwards be committed
 by him; but all Persons aggrieved by such Irregularity shall and may
 recover full Satisfaction for the special Damage in an Action upon
 the Case.

Distress not
 unlawful for
 Want of
 Form.

CXII. And be it further enacted, That all Bodies Corporate and
 Persons who may think themselves aggrieved by any Order or Judg-
 ment made or given in pursuance of any Bye Law, Rule, or Order
 of the said Company or of the said Directors, and the said Company
 and all other Bodies Corporate and Persons who may think them-
 selves aggrieved by any Order or Judgment or Determination of
 any Justice of the Peace relating to any Matter or Thing in this
 Act mentioned or contained, or for which no Power of Appeal is by
 this Act specifically given, may, within Four Calendar Months next
 after such Order, Judgment, or Determination shall have been made
 or given, appeal to the Justices of the Peace at any General or
 Quarter Sessions to be held for the County and Place where the
 alleged Cause of Appeal shall arise, first giving Ten Days Notice
 in Writing of such Intention to appeal, and of the Ground and
 Nature thereof, to the Party against whom such Complaint is in-
 tended to be made, or to the said Company (as the Case may be),
 and forthwith after such Notice entering into Recognizance before
 some Justice of the Peace, with Two sufficient Sureties, conditioned
 to try such Appeal, and abide the Order and Award of the said Court
 thereon; and the said Justices shall in a summary Way either hear or
 determine the said Complaint at such General or Quarter Sessions,
 or, if they think proper, may adjourn the Hearing thereof to the
 following General or Quarter Sessions of the Peace to be held for
 such County or Place; and the said Justices may, if they see Cause,
 mitigate any Penalty or Forfeiture, and may order any Money to be
 returned which shall have been levied in pursuance of such Bye
 Law, Rule, Order, or Determination, and may also order any such
 further Satisfaction to be made to the Party injured as they shall
 judge reasonable, and may also order such Costs to be paid to
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Persons ag-
 grieved may
 appeal to
 the Quarter
 Sessions.

the Party aggrieved by the Party aggressing as they shall think reasonable.

Authent-
icated Bye
Laws to be
Evidence.

CXIII. And be it further enacted, That in all Cases of Prosecution for Offences against the Bye Laws, Rules, or Orders of the said Company, the Production of a written or printed Paper purporting to be the Bye Laws, Rules, or Orders of the said Company, and authenticated by having the Common Seal of the said Company affixed thereto; shall be Evidence of the Existence of such Bye Laws, Rules, or Orders, and it shall be sufficient to prove that a printed Paper or painted Board containing a Copy of such or so many of the Bye Laws, Rules, or Orders as shall impose any Fine or Penalty on any Person or Persons, not being a Proprietor or Proprietors of the said Undertaking, hath been affixed and published in manner by this Act directed, and in case of its being afterwards displaced or damaged hath been replaced by another such Board as soon as conveniently might be, unless Proof shall be adduced by the Defendant that such printed Paper or Board is not a Copy of such Bye Laws, Rules, or Orders as aforesaid, or hath not been duly affixed and generally continued in manner by this Act directed.

Proceedings
not to be
quashed for
Want of
Form.

CXIV. And be it further enacted, That no Proceeding to be had and taken in pursuance of this Act shall be quashed for Want of Form, or be removed by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

Limitation
of Actions.

CXV. And be it further enacted, That no Action, Suit, or Information, nor any other Proceedings of what Nature soever, shall be brought, commenced, or prosecuted against any Person for any thing done or omitted to be done in pursuance of this Act, or in execution of the Powers or Authorities, or any of the Orders made, given, or directed in, by, or under this Act, unless Ten Days previous Notice in Writing shall be given by the Party intending to commence and prosecute such Action, Suit, or other Proceeding; to the intended Defendant or Defendants, nor unless such Action, Suit, or Information or Proceeding shall be brought or commenced within Six Calendar Months next after the Act committed, or in case there shall be a Continuation of Damage, then within Six Calendar Months next after the doing or committing such Damage shall have ceased, nor unless such Action, Suit, Information, or Proceeding shall be laid and brought in the County or Place within which the Matter or Dispute or Cause of Action shall have arisen; and the Defendant or Defendants in such Action, Suit, Information, or Proceeding may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon; and that the Acts were done or omitted to be done (as the Case may be) in pursuance and by the Authority of this Act; and if they shall appear to have been so done, or to have been so omitted to be done, or that such Action, Suit, Information, or Proceeding shall have been brought otherwise than as herein-before directed, then and in every such Case the Jury shall find for the Defendant

Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or shall suffer a Discontinuance of his, her, or their Action, Suit, Information, or Proceeding, after the Defendant or Defendants shall have appeared thereto, or if a Verdict shall pass against the Plaintiff or Plaintiffs therein, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have his, her, or their Costs, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in any other Cases.

CXVI. Provided also, and be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act, if Tender of sufficient Amends shall have been made, by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding, before such Action brought; and in case no Tender shall have been made, it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined to pay into Court such Sum of Money as he or she shall think fit; whereupon such Proceeding, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Plaintiff not to recover after Tender of Amends.

CXVII. And be it further enacted, That in all Cases where any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear or determine any Matter or Complaint, it shall be lawful for such Justice and he is hereby required to administer an Oath to or to receive the Affirmation of any Person before he or she shall be examined by or before such Justice.

General Power to Justices to administer Oaths.

CXVIII. And be it further enacted, That wherever in this Act any Word or Words is or are used or employed importing the Singular Number or Masculine Gender only, such Word or Words shall extend to and shall be construed to include several Persons as well as One Person, and Females as well as Males, and a Body or Bodies Politic, Corporate, or Collegiate, Corporation or Corporations Aggregate or Sole, as well as Individuals, unless it be otherwise specially directed or provided for.

Rules for Construction of certain Terms of Act.

CXIX. Provided always, and be it further declared and enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex*, for the Limits of *Holborn* and *Finsbury* Divisions, the Parish of *St. Leonard Shoreditch* and the Liberty of *Norton Falgate*, and for the *Tower Hamlets* (excluding *Saint Katharine's* and *Blackwall Marsh*), in the County of *Middlesex*, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been made.

Saving the Rights and Powers of the Commissioners of Sewers.

CXX. And

Public Act. CXX. And be it further enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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