the Proof thereof made before him upon the Oath of One credible Witness, by Warrant under his Hand and Seal, or in *Scotland* under his Hand, to commit the Party so offending for every such Offence to any Gaol or House of Correction for the said County, City, Borough, Riding, or Division, with or without Hard Labour, for any Period not exceeding Three Calendar Months.

Cost of Maintenance to be partly recovered from Parents, &c.

V. The Court by which any Juvenile Offender is ordered to be detained as aforesaid under this Act shall charge the Parent or Step-parent of such Offender, if of sufficient Ability to bear the same, with a Sum not exceeding Five Shillings *per* Week towards the Maintenance and Support of such Juvenile Offender while remaining in such Reformatory School, such Payment to be in relief of the Charges on Her Majesty's Treasury in all Cases where the Treasury shall have defrayed or undertaken to defray the whole or any Portion of the Maintenance of such Offender, and in all other Cases such Payment to be made to the Directors or Managers of such Reformatory School.

For compelling Parent or Step-parent to support Juvenile Offenders while remaining in Reformatory School.

59 G. 3. c. 12.

4 & 5 W. 4. c. 76.

VI. For the better compelling the Parent or Step-parent, as the Case may be, to support and maintain wholly or partly every such Juvenile Offender while in such Reformatory School, the Provisions contained in the Act passed in the Forty-third Year of the Reign of Queen *Elizabeth*, intituled *An Act for the Relief of the Poor*, for compelling the Parent of every poor Person, being of sufficient Ability, at their own Charges to relieve and maintain such poor Person, and also the Provisions in the like Behalf contained in an Act passed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled *An Act to amend the Laws for the Relief of the Poor*, and in an Act passed in the Fifth Year of the Reign of King *William* the Fourth, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in* England *and* Wales, shall be respectively held and deemed and the same respectively are hereby directed to be applicable, within *England* and *Wales*, to the compelling the Parent or Step-parent respectively of every such Juvenile Offender to maintain or support him, either wholly or partly, while remaining in such Reformatory School, and for the Recovery of the weekly Payment so charged upon such Parent or Step-parent; and in *Scotland* such Payment may be sued for and recovered at the Instance of the Procurator Fiscal or of the Treasurer of such Reformatory School in the Sheriffs Small Debt Court, and the Provisions of an Act passed in the Eighth and Ninth Years of Her

8 & 9 Vict. c. 83.

Majesty, intituled *An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in* Scotland, for the Punishment of Parents deserting their Children, or refusing or neglecting to maintain them, shall be held and deemed and are hereby directed to be applicable to the Case of Parents or Step-parents refusing or neglecting to pay the Amount so charged upon such Parent or Step-parent as aforesaid.

Juvenile Offenders may be removed from one Reformatory School to another.

VII. It shall and may be lawful for Her Majesty's Secretary of State for the Home Department, if he shall think fit to do so, to remove any such Youthful Offender from one Reformatory School to another: Provided always, that such Removal shall not increase the Period for which such Offender was sentenced to remain in a Reformatory School.

Act not to apply to Ireland.

VIII. This Act shall not apply to *Ireland*.

CAP. LXXXVII.

An Act to make further Provision for the Burial of the Dead in *England* beyond the Limits of the Metropolis. [10th *August* 1854.]

16 & 17 Vict. c. 134.

'WHEREAS an Act was passed in the last Session of Parliament, Chapter One hundred and thirty four, intituled *An Act to amend the Laws concerning the Burial of the Dead in* England *beyond the Limits of the Metropolis, and to amend the Act concerning the Burial of the Dead in the Metropolis:* And whereas under the said Act Provision is made for providing Burial Grounds for Parishes by Burial Boards to be appointed by Vestries: And whereas in some Cases of Parishes wholly or partly within Boroughs there is Difficulty or Inconvenience in providing requisite Places of Burial for the Inhabitants nuder the Powers of the said Act, and it is expedient that in such Cases such Places of

'Burial

'Burial should be provided by the Councils of such Boroughs:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Her Majesty may, by Order in Council, invest Town Councils with the Power of providing Burial Grounds.

I. In case it appear to Her Majesty in Council, upon the Petition of the Town Council of any Borough, stating that an Order in Council has been made for closing all or any of the Burial Grounds of One or more Parishes being wholly or partly within such Borough, that there is Difficulty or Inconvenience in providing, under the Powers of the said Act of the last Session of Parliament, requisite Places of Burial for the Inhabitants of such Parish or Parishes, it shall be lawful for Her Majesty, with the Advice of Her Privy Council, to order that Powers shall be vested in the Council of such Borough for providing such Places of Burial under the Provisions of this Act: Provided always, that Notice of such Petition and of the Time when it shall please Her Majesty to order that the same be taken into consideration by the Privy Council shall be published in the *London Gazette*, and in One of the Newspapers usually circulating in such Borough, One Month at least before such Petition is so considered.

Upon the making of such Order Borough Council to have all the Powers vested in Burial Boards under 16 & 17 Vict. c. 134.

II. Upon the making of any such Order of Her Majesty in Council as aforesaid in relation to any Borough, if the Town Council of the same shall decide upon providing One or more Burial Grounds, the said Town Council shall be a Burial Board for that Purpose, and the Provisions of the said Act of the last Session, and the Provisions of the Act of the Fifteenth and Sixteenth Years of Her Majesty, Chapter Eighty-five, in the said Act of the last Session mentioned or referred to, and thereby extended and made applicable as therein mentioned, except the Provisions relating to the Constitution, Incorporation, Meetings, Entries of Proceedings, and Accounts of Burial Boards, shall, subject to the Provisions herein contained, extend and be applicable to such Borough and the Council thereof, and to any Burial Ground and any Places for the Reception of the Bodies of the Dead previously to Interment which may be provided by such Council under this Act, in like Manner as the same are applicable to any Parish and the Burial Board thereof, and to any Burial Ground and any such Places as aforesaid provided by such Burial Board, save that no Approval, Sanction, or Authorization of the Vestry of any Parish shall be requisite.

Expenses to be paid out of Borough Fund or Borough Rates.

III. Provided always, That all Expenses of carrying this Act into execution, in any Borough shall, subject to the Provisions herein-after contained, be chargeable upon and paid out of the Borough Fund and Borough Rates of such Borough, or partly out of such Fund and partly out of such Rates, in like Manner as if the same were Expenses incurred in carrying into effect the Provisions of an Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six; and any Money to be borrowed under the Authority of this Act by the Council of such Borough, and the Interest thereon, shall be charged by such Council on the Monies out of which such Expenses are by this Act directed to be paid, and the said Provisions hereby extended and made applicable to the said Council shall be construed accordingly; and any Surplus of Money raised for defraying such Expenses as aforesaid, and of the Income of any Burial Ground provided by the Council of any Borough, which if the same were provided by a Burial Board for any Parish would be applicable in aid of the Rate for the Relief of the Poor of such Parish, shall be applicable in aid of the Borough Fund or Borough Rates of such Borough, or in case a separate Rate has been levied in Parts only of such Borough, for the Purposes of this Act, as herein-after provided, then such Surplus shall be applied rateably towards Payment or Satisfaction of so much of any Borough Rate as may be leviable in such Parts of such Borough: Provided always, that such Surplus shall be ascertained upon the auditing of the Accounts of the Treasurer of such Borough in the Month of *September* in any Year.

Money may be borrowed at lower Rates of Interest to pay off Securities bearing a higher Rate.

IV. If any Burial Board under the said Act of the last Session of Parliament, or the Council of any Borough acting under this Act, can at any Time borrow at a lower Rate of Interest than that secured by any Mortgage previously made by them, and then outstanding and in force, they may, if they think fit, so borrow accordingly in order to pay off and discharge any Security or Securities bearing a higher Rate of Interest, and to secure the

the Repayment of the Money so borrowed, and the Interest to be paid thereon, in like Manner as other Monies authorized to be borrowed by such Burial Board or Council under the said Act of the last Session or this Act.

Power to borrow Money to pay off former Mortgages.

V. If at the Time appointed by any Mortgage for Payment of the Principal Money secured thereby, any such Burial Board or Council as aforesaid are unable to pay off the same, they may, if they think fit, borrow such Sum of Money as may be necessary for the Purpose of paying off all or any Part of such Principal Money, and secure the Repayment of the Money so borrowed, and the Interest to be paid thereon, in like Manner as other Monies authorized to be borrowed by such Burial Board or Council under the said Act of the last Session or this Act.

Council how to act under this Act, and Conveyances and Sales of Lands how to be made.

VI. The Council of any Borough shall act in execution and exercise of their Duties, Powers, and Authorities under this Act in like Manner as in execution and exercise of their Duties, Powers, and Authorities under the said Act of the Fifth and Sixth Years of King *William* the Fourth; and every Conveyance of Lands to be purchased for the Purposes of this Act shall be taken in the Name of the Body Corporate of such Borough, and such Body Corporate shall have Power to hold such Lands for the Purposes of this Act; and no Lands purchased under this Act by the Council of any Borough shall be sold, except with the like Approbation and subject to the like Restrictions as if sold under the said Act of the Fifth and Sixth Years of King *William* the Fourth; and the Signature of any Member or Members of such Council shall not be necessary to any Conveyance of any Lands so sold; and a Receipt under the Hand of the Treasurer of such Borough shall be a sufficient Discharge to the Purchaser of any such Lands for the Purchase Money in such Receipt expressed to be received.

Burial Ground to be deemed to be for the Parishes in the Borough.

VII. The Burial Ground or Burial Grounds provided for any Borough under this Act shall be deemed to be provided for such Parish or Parishes wholly or in part situate in such Borough as the Town Council shall determine.

Council may fix a higher Rate of Payment for Interment, &c. in respect of outlying Part of any Parish partly situate in the Borough.

VIII. It shall be lawful for the Council of any Borough, if they see fit, in fixing and settling, revising and altering, the Fees, Payments, and Sums mentioned in Section Thirty-four of the said Act of the Fifteenth and Sixteenth Years of Her Majesty, from Time to Time to fix all or any of such Fees, Payments, and Sums in respect of Interments of the Remains of Persons, being Inhabitants of that Part of any Parish partly within and partly without the Limits of such Borough which is without such Limits, and in respect of other Rights to be exercised with reference to the Interment of the Remains of such Persons, at a higher Amount than the ordinary Charge for the Time being fixed by such Council in respect of the like Matters; provided always, that such higher Amount shall be fixed with the Approval of One of Her Majesty's Principal Secretaries of State.

Order in Council may except Parishes already having Burial Grounds; and in such Case, if a Rate be necessary, a separate Rate to be made on the rest of the Borough.

IX. Where, previously to the making of any Order in Council under this Act in relation to any Borough, it appears to Her Majesty in Council, upon the Petition of the Town Council so made as aforesaid, or otherwise, that any Parish wholly or in part within such Borough is provided with a sufficient Burial Ground, it shall be lawful for Her Majesty in and by such Order to direct that no Part of such Parish shall be assessed towards defraying the Expenses of executing this Act in such Borough, and in such Case no Burial Ground provided for such Borough under this Act shall be deemed to be provided for such Parish; and any Money required to be raised in such Borough for defraying such Expenses, or paying any Money borrowed under this Act by the Council of such Borough, or any Interest thereon, by means of a Rate to be levied in such Borough, shall be raised by a separate Rate, to be levied within such Parts of such Borough as are not exempted under such Order from being assessed as aforesaid; and (so far as may be consistent with this Provision) the Council of such Borough shall have all such Powers for making and levying such Rate, and all Provisions shall be applicable in respect thereof, as in the Case of a Borough Rate made under the said Act of the Fifth and Sixth Years of King *William* the Fourth.

Powers of Vestry, with Consent of

X. The Powers of settling and fixing the Fees or Sums to be payable to the Incumbent or Minister, and of revising and varying the Fees payable to the Incumbent, Clerk, and Sexton,

Sexton, and other Persons and Bodies, and of substituting for such Fees fixed annual Sums, by Sections Thirty-three and Thirty-seven of the said Act of the Fifteenth and Sixteenth Years of Her Majesty given to the Vestry, and exercisable with the Approval or Consent of the Bishop of the Diocese, as therein mentioned, shall, with respect to Fees and Sums arising in or from any Burial Ground provided under this Act by the Council of any Borough be transferred to such Council, and be exercisable with the like Approval or Consent.

Bishop of fixing and revising the Fees payable to Incumbent, &c. transferred to the Borough Council.

XI. It shall be lawful for the Council of any Borough to appropriate for the Purposes of this Act any Land belonging to the Body Corporate of such Borough, or vested in any Feoffees, Trustees, or others, for the general Benefit of the Borough, or for any specific Charity; provided always, that where any Land so appropriated shall be subject to any charitable Use, such Land shall be taken on such Conditions only as the Court of Chancery, in the Exercise of its Jurisdiction over Charitable Trusts, shall appoint and direct.

Council may appropriate Land belonging to the Borough.

XII. So much of the said Act of the Fifteenth and Sixteenth Years of Her Majesty, as enacts, that "no Ground (not already used as or appropriated for a Cemetery) shall be "appropriated as a Burial Ground or as an Addition to a Burial Ground under that Act "nearer than Two hundred Yards to any Dwelling House, without the Consent in Writing "of the Owner, Lessee, and Occupier of such Dwelling House," shall not extend or be applicable to or in respect of any Burial Grounds which have been or may be provided under the said Act of the last Session and this Act, or either of them, or to or in respect of any Addition which has been or may be so provided to any Burial Ground; but no Ground not already used as or appropriated for a Cemetery shall be appropriated under the said Act of the last Session and this Act, or either of them, as a Burial Ground, or as an Addition to a Burial Ground, nearer than One hundred Yards to any Dwelling House, without such Consent as aforesaid.

Burial Ground not to be within 100 Yards of a Dwelling House.

CAP. LXXXVIII.

An Act to render valid certain Marriages of *British* Subjects in *Mexico*.

[10th *August* 1854.]

'WHEREAS certain Marriages of *British* Subjects have been solemnized at *Mexico* by Mr. *Percy W. Doyle*, formerly Her Majesty's Chargé d'Affaires and afterwards Her Majesty's Minister Plenipotentiary to the Republic of *Mexico*: And whereas Doubts may be entertained whether such Marriages are strictly legal: And whereas it is expedient to remove all Doubts touching the Validity of such Marriages:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. All Marriages solemnized before the First Day of *January* One thousand eight hundred and fifty-four in any Place of the Republic of *Mexico* by or in the Presence of the said *Percy W. Doyle* (both or One of the Parties thereto being Subjects or a Subject of this Realm) shall be deemed and held to be as valid in the Law as if the same had been solemnized within Her Majesty's Dominions with a due Observance of all Forms required by Law.

Certain Marriages of British Subjects which have been solemnized in Mexico to be valid.

II. It shall be lawful for One of Her Majesty's Principal Secretaries of State to transmit to the Registrar General of Births, Deaths, and Marriages in *England* all such Certificates of the Marriages solemnized as aforesaid as have been or shall be transmitted to the Office of such Secretary of State by Her Majesty's Minister Plenipotentiary or Chargé d'Affaires in *Mexico*; and all Certificates which shall be transmitted to such Registrar General by such Secretary of State as Certificates of the Marriages confirmed by this Act shall be received by such Registrar General, and shall be kept in the General Register Office in manner directed by the Act of the Session holden in the Sixth and Seventh Years of King *William* the

Certificates received by the Secretary of State to be sent to Registrar General, and certified Copies to be Evidence, as under 6 & 7 W. 4. c. 86.