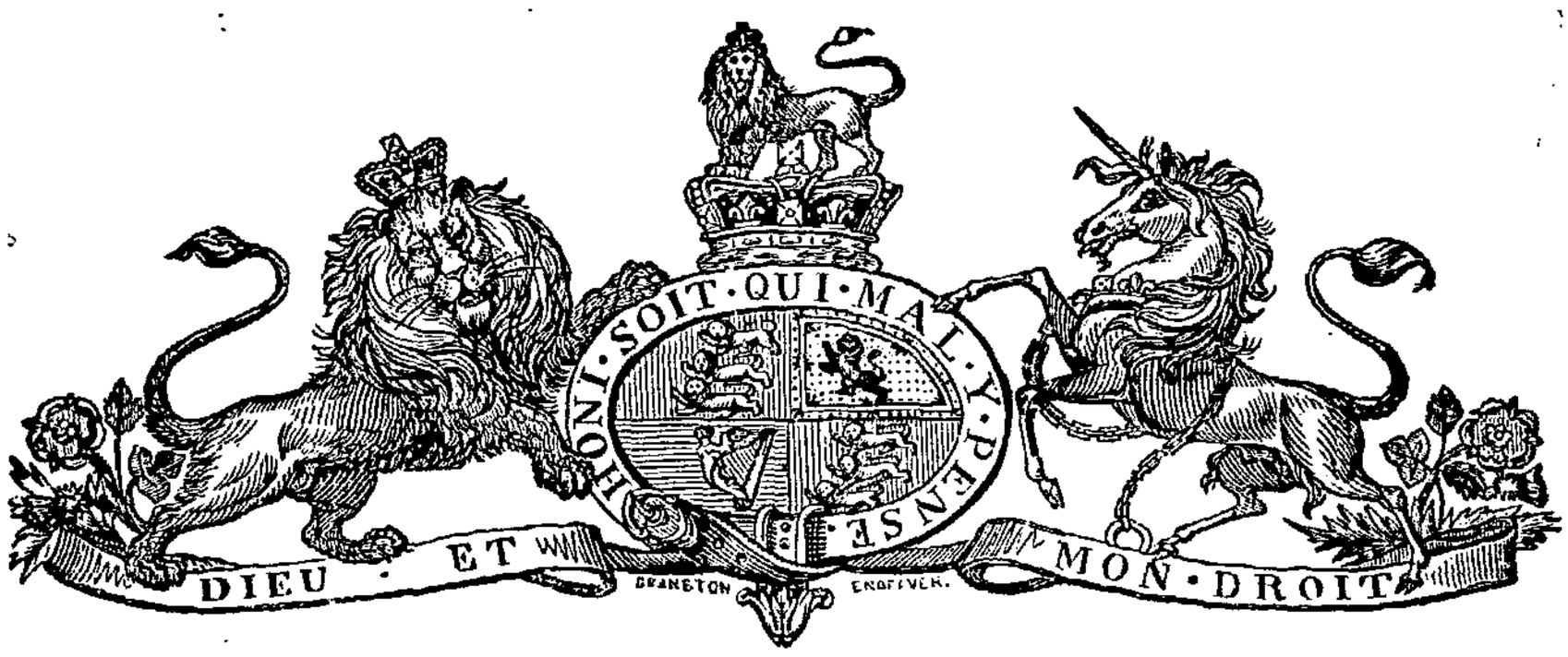


ANNO TERTIO

VICTORIÆ REGINÆ.

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Taylor, *Thomas Groves*, *Samuel Stanley*, and *James Sayer* junior, and all other Persons and Corporations who have subscribed or who shall hereafter subscribe to the said Undertaking, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company for establishing and maintaining the Cemetery and other Works by this Act authorized to be made, and for that Purpose shall be One Body Corporate by the Name and Style of "The Abbey 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 Penalties or Forfeitures, and shall have and exercise all other Powers and Authorities herein-after given or contained.

Meaning of certain Words in this Act.

II. And be it further enacted, That in the Interpretation or legal Construction of this Act, wherever any Word is used importing the Singular Number only, such Word shall extend to and include several Persons or Things as well as one Person or Thing, and every Word importing the Plural Number shall be applied to and comprise one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and where the Word "Corporation" shall be used, the same shall be understood to mean any Body Politic, Corporate, or Collegiate, Municipal, Civil, or Ecclesiastical, Aggregate or Sole; and where the Word "Lands" shall be used, the same shall be understood to include Messuages, Lands, Tenements, and Hereditaments of any Tenure; unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Lands already purchased vested in the Company, with Power to purchase other Lands.

III. And whereas certain Lands situate in the said Parish of *Holy Cross* and *Saint Giles*, containing Six thousand eight hundred and fifty Square Yards or thereabouts, bounded on the South by the new Turnpike Road leading from *Shrewsbury* to *London*, on the North by the *Abbey Foregate Street* and the Abbey Church and Churchyard, on the East, partly by Land and Houses belonging to *William Peach*, *Thomas Groves*, and *Eliza Charlton* respectively, fronting the said *Abbey Foregate Street*, partly by the *Abbey Foregate Street* aforesaid, and partly by the Abbey Church, and on the West, partly by the Abbey Church and Churchyard, and partly by an open Space of Ground at the West End of the Savings Bank which adjoins the West End of the Abbey Church, have been conveyed to and are now vested in the said *Benjamin Hall Kennedy*, *Robert Lingen Burton*, and *William Wybergh How*, in Trust for the Purposes of this Act; be it therefore enacted, That from and immediately after the passing of this Act the same Lands so now vested in the said *Benjamin Hall Kennedy*, *Robert Lingen Burton*, and *William Wybergh How*, or any of them, shall be and the same are hereby vested in the Company hereby incorporated, for all such Estates and Interests as they the said *Benjamin Hall Kennedy*, *Robert Lingen Burton*, and *William*

William Wybergh How, or any of them, now have therein; and further that it shall be lawful for the said Company and they are hereby authorized and empowered to treat, contract, and agree with the Owner of or with any Person who may be possessed of or interested in certain small Pieces of Land, with the Buildings thereon, adjoining to the before-mentioned Lands, and situate between the same and the *Abbey Foregate Street*, and who shall be willing to sell the same, or his Right or Interest therein, for the Purchase thereof or of any Part thereof for the Purposes of this Act, and to pay such Sum of Money for the Purchase thereof or of any Part thereof as shall be agreed upon between such Person as aforesaid and the said Company; and upon Payment of such Purchase Money to the Person entitled thereto, or upon Payment thereof into the Bank of *England*, in manner by this Act directed, as the Case may be, 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 Lands for the Purposes of this Act.

Power to divert a Portion of the Abbey Foregate Street.

IV. And whereas it would be a public Advantage if the said Company were empowered to make a slight Diversion in the said Road called the *Abbey Foregate Street*; be it therefore further enacted, That it shall be lawful for the said Company to divert the said Road by carrying the same in a straight Line, or nearly so, from South to North, from the Point (at or near "The *New Road* Tavern") where the same diverges from the new Turnpike Road leading from *Shrewsbury* to *London*, through certain uninclosed Land now lying in front of a Dwelling House belonging to Sir *Richard Jenkins*, and certain other small Houses adjoining thereto, for the Length of Seventy Yards or thereabouts, and thence running from East to West for the Length of Forty-three Yards or thereabouts, in a Line or nearly so with that Part of the said *Abbey Foregate Street* which now forms the Northern Boundary of the said Abbey Garden; and when and as soon as the said new Line of Road shall have been completed, the same shall be used and be kept in repair by such and the same Persons, and in such and the same Manner, and as in lieu and stead of the present Line of Road between the Points at which the said new Line of Road shall commence and terminate; and the said old Line of Road shall and may thenceforth be stopped up, and the Ground and Soil thereof, and also the Strip of Land which will intervene between the same and the said new Line of Road, shall be and the same is hereby vested in the said Company, as the Owners of the adjoining Land, for the Purposes of this Act, for the same Estate and Interest as they may possess in such adjoining Land: Provided always, that the said Diversion of Road shall not be made without the Consent in Writing of the Owners of the said uninclosed Land through which such new Road is intended to be made, and such new Road shall be of not less Width than the Portion of Road for which the same shall be so substituted: Provided also, that it shall be lawful for the said Company to contract with the Owners for the Time being of the said uninclosed Land for the Purchase of so much thereof as may be required for the Purpose of making such Diversion of Road as aforesaid.

V. And

All Persons enabled to sell.

V. And be it further enacted, That it shall be lawful for all Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons entitled in Reversion, Remainder, or Expectancy after them (if incapacitated or not to be found), and for and on behalf of their Wives, Wards, Idiots, and Lunatics respectively, and in the same Manner and to the same Extent as such Wives, Wards, Idiots, and Lunatics respectively could have done by Law under the Powers of this Act in case they had been sole, of full Age, and of sound Mind, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and for all Femes Covert seised, possessed of, or interested in their own Right or entitled to Dower or other Interest, and for all other Persons whomsoever who are or shall be seised or possessed of or interested in any such Lands, to contract for the Sale thereof or of any Part thereof, and to convey the same or any Part thereof to the said Company; and every Conveyance which shall be made thereof under or by virtue of this Act shall be good, valid, and effectual, to all Intents and Purposes, not only to convey the Estate and Interest of the Person conveying, but also to convey all the Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of the Persons entitled in Remainder, Reversion, or Expectancy after them, and of all such Wives, Infants, Issue unborn, Idiots, Lunatics, Femes Covert, Cestuique Trusts, and other Persons as aforesaid; and the same shall be deemed and considered to bar all Estates in and Rights and Titles to Dower, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue of such Person and Persons claiming under them, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and every such Tenant for Life or in Tail, or Person having a qualified or partial Estate or Interest, and all other Persons, is and are and shall be hereby indemnified for what he, she, or they shall do by virtue of this Act.

Conveyances to be made at the Expence of the Company.

VI. And be it further enacted, That every Conveyance which shall be made to the said Company under the Authority of this Act shall be made at the Expence of the said Company, and may be in the Form or to the Effect following, or as near thereto as the Number of the Parties and the Circumstances of the Case will admit; (that is to say,)

Form of Conveyance.

'I Sum of of in consideration of the
'Sum of to me [*or, as the Case may be*, into the
'Bank of *England*, in the Name and with the Privity of the Accoun-
'tant General of the Court of Exchequer, *ex parte* "The Abbey Ceme-
'tery Company," *or* to *A. B.* of and *C. D.* of
'Trustees appointed to receive the same pursuant to the Act after
'mentioned], paid by "The Abbey Cemetery Company," established
'and incorporated by an Act passed in the Year of the
'Reign of Her Majesty Queen *Victoria*, intituled [*here insert the*

'*Title of this Act*], do hereby convey [*or* assign, *as the Case may be*] 'to the said Company and their Successors all [*describing the Pre-* '*mises to be conveyed*], together with all Ways, Rights, and Appur- 'tenances thereto belonging, and all such Estate, Right, Title, and 'Interest in and to the same and every Part thereof as I am or shall 'become seised of or entitled to, or am by the said Act capacitated 'or empowered to convey; to hold the Premises to the said Com- 'pany, and their Successors and Assigns for ever. In witness whereof 'I have hereunto set my Hand and Seal, this Day of 'in the Year of our Lord .'

And every such Conveyance shall be valid and effectual at Law to all Intents and Purposes, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest thereby conveyed; but although Terms shall be merged, they shall in Equity afford the same or the like Protection and Priority as if they were assigned and kept on foot in Trust for the said Company, and to attend the Reversion and Inheritance.

Lands bought of any Person under any Disability to be valued by Two Surveyors or an Umpire.

VII. Provided always, and be it further enacted, That the Consideration Money to be paid for any Lands to be purchased from or conveyed by any Person under any Disability or Incapacity as aforesaid, or not having Power to sell except under the Provisions hereinbefore contained, shall in no Case be less than such Sum as the same shall be valued at by Two able practical Surveyors, one of whom shall be nominated by the said Company and the other by the Person contracting or agreeing to sell the same; and if such Two Surveyors shall not agree in the Valuation thereof, then by such Third Surveyor as any Justice acting for the said Town of *Shrewsbury* shall for that Purpose nominate; and each of the said Two Surveyors, if they shall agree in and make their Valuation, or if not then the Surveyor so to be nominated by the Justice as aforesaid, shall annex to their or his Survey, Estimate, or Valuation, when completed, a Declaration of the Correctness thereof, in the Form (or as near thereto as the Circumstances of the Case will admit) prescribed in the Schedule of an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty, for the Suppression of voluntary and extra-judicial Oaths and Affidavits.

Application of Purchase Money when amounting to 200*l.*

'VIII. And be it further enacted, That if any Money shall be agreed to be paid for the Purchase of any Lands for the Purposes of this Act which shall belong to any Person under any Disability or Incapacity as aforesaid, or which any Person is hereby capacitated to convey, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of Her Majesty's Court of Exchequer at *Westminster*, to be placed to his Account there *ex parte* "The Abbey Cemetery Company," pursuant to the Directions of an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors* 1 G. 4. c. 35.

of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes, and the general Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order or the said Court made in a summary Way, upon Petition to be presented to the said Court by the Party who would have been entitled to the Rents and Profits of the said Lands, be paid to such Party, or be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or other Incumbrance affecting the same Lands, or affecting other Lands standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes as the said Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out, by Order of the said Court, made in a summary Way, in the Purchase of other Lands, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making the Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase can be made, the said Money shall, by Order of the said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until such Annuities or Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, or shall be called in or cancelled, the Dividends or Interest and annual Produce thereof shall from Time to Time, by Order of the said Court, be paid to the Person who would for the Time being have been entitled to the Rents and Profits of the Lands so to be purchased and settled.

When less than 200*l.* and not less than 20*l.*

IX. Provided always, and be it further enacted, That if any Money so contracted or agreed to be paid for any Lands to be purchased for the Purposes of this Act, and belonging to any Person under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then the same shall, at the Option of the Persons for the Time being entitled to the Rents and Profits of the Lands so purchased, taken, or used, or of their respective Husbands, Guardians, or Committees, in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, with the Approbation of the said Company, to be signified in Writing under their Common Seal, or under the Hands of at least Three of the Directors of the said Company, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the respective Parties exercising such Option, and approved of by the said Company, such Nomination and Approbation to be signified in Writing under the Hands of the nominating Parties, and under such Common Seal

or the Hands of Three at least of the Directors of the said Company; and the Money so paid to such Trustees, and the Dividends and Produce so arising thereon and therefrom, shall be by such Trustees applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, but without being required to obtain any Order of the said Court touching the Application thereof.

When less than 20*l.*

X. Provided also, and be it further enacted, That when any Money so contracted and agreed to be paid as aforesaid shall not exceed the Sum of Twenty Pounds, then the same shall be paid to the respective Parties who would for the Time being have been entitled to the Rents and Profits of the Lands so to be purchased for the Purposes of this Act, for their own Use and Benefit; and in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid to their respective Husbands, Guardians, Committees, or Trustees, to and for the Use and Benefit of the Parties respectively entitled thereto.

On Payment of Purchase Money the Premises to vest in the Company.

XI. And be it further enacted, That upon Payment of the Money agreed to be paid for the Purchase of such Lands by the said Company to the Person entitled to such Money, or his Agents, or upon Payment thereof into the Bank of *England* for the Purpose of being disposed of in manner herein directed (as the Case may be), all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand at Law or in Equity of the Person to whom or for whose Use the same shall be paid, in, to, or out of such Lands, and of all Persons in whose Behalf he is authorized by this Act to sell the same, shall vest in the said Company and their Successors for ever for the Purposes of this Act.

Company empowered to make a Cemetery.

XII. And whereas the said Company have obtained the Consent in Writing of the Owner, Lessee, and Occupier of every House of the annual Value of Fifty Pounds, or having a Plantation or ornamental Garden or Pleasure Ground occupied therewith, situate within Three hundred Yards of the proposed Cemetery or Burial Ground, to the Erection thereof; be it therefore 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 the Situation herein-before mentioned, and to lay out and to establish 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 Cemetery or Burial Ground to be enclosed with proper Walls, Fences, Palisades, Gates, and Entrances.

Power to build a Chapel for Burial Service of Church of England

XIII. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to make, erect, and build, within or adjoining to such Part of the said Cemetery as shall be consecrated, in such Manner as they shall think proper, a convenient and suitable Chapel for the Purpose of performing therein the Burial Service according to the established Form of the Church of *England*, and also such and so many covered Porches or Colonnades, and Catacombs and Vaults for private or public Burial Places, and

such

such other Buildings, Matters, and Things, and for such Purposes as the said Company shall think proper.

Part of Cemetery to be consecrated.

XIV. And be it further enacted, That such Part of the said Lands as shall be set apart for the Interment of the Dead according to the established Form of the Church of *England* may be consecrated by the Bishop of the Diocese for the Time being, and when such Part shall have been so consecrated as a Cemetery, the same shall for ever thereafter be set apart and be used and applied exclusively for the Purpose of Christian Burial; and no Person shall perform the Burial Service therein otherwise than according to the Rites and Usages of the Church of *England*: Provided always, that it shall not be lawful for the Bishop of the Diocese to consecrate such Part of the said Lands so set apart for the Interment of the Dead according to the Rites and Usages of the United Church of *England* and *Ireland*, unless a good and indefeasible Title to the said Lands shall be shown to the Satisfaction of the said Bishop.

A Chaplain to be appointed.

XV. And be it further enacted, That it shall be lawful for the said Company to nominate and appoint any Clergyman of the United Church of *England* and *Ireland*, who shall be approved by the Bishop of the Diocese, and be licensed by him, to officiate as Minister or Chaplain in the consecrated Part of the said Cemetery, and every such Clergyman shall be subject to the Jurisdiction of the said Bishop; and the said Chaplain shall perform in Person, when required, unless prevented by Sickness or other reasonable Cause, the Burial Service, within the consecrated Part of the said Cemetery, according to the established Usage of the United Church of *England* and *Ireland*; and for every Interment which shall take place in the said Cemetery the said Company shall forthwith pay to the said Chaplain so officiating as aforesaid the Sum of Five Shillings.

Fee to be paid to the Chaplain.

Compensation to Incumbents for Loss of Fees.

XVI. And be it further enacted, That upon the Interment of every Person within the consecrated Part of the said Cemetery the said Company shall pay to the Rector, Vicar, Curate, or Minister of the Church or Chapel of the Parish or other Ecclesiastical District or Division 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.

Any Clergyman of the Established Church may officiate.

XVII. And be it further enacted, That it shall be lawful for any Clergyman of the Established Church, at the Request of the said Company, to perform the said Burial Service in the consecrated Part of the said Cemetery.

Directors to appoint a Clerk and Sexton.

XVIII. And be it further enacted, That it shall be lawful for the said Company 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 remove such Clerk and Sexton or either of them at their Discretion; and the Fees, Wages, or Stipends of such Clerk and Sexton shall from Time to Time be fixed by the said Company, and such Clerk and Sexton may from Time

Time to Time recover the same, with full Costs of Suit, against the said Company by Action of Debt in any of Her Majesty's Courts of Record at *Westminster*; 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 said Fees, Wages, or Stipend.

Part of the Cemetery may be set apart for the Interment of Persons not Members of the Church of England, which Part shall not be consecrated.

XIX. And be it further enacted, That it shall be lawful for the said Company to set apart a Portion of the intended Cemetery as a Place of Interment for Persons not being Members of the Established Church, and such Portion shall 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 so to be interred shall think fit and direct, and in default of any such Direction then in such Manner as the said Company shall appoint: Provided always, that every such Burial shall be conducted in a decent and solemn Manner, and under such Regulations as the said Company shall think fit to impose.

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

XX. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered, from Time to Time and at all Times after the passing of this Act, to sell and dispose of, to any Person who may desire to purchase or acquire the same, and at or for such Price or Sum 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 or every or any of the Vaults, Catacombs, Brick Graves, and Places of Burial which may be at any Time erected or built by the said Company within the said Cemetery; and also the Right and Privilege of erecting and making 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, 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 any other Place appropriated by the said Company for the Reception of Monuments, Tablets, or Monumental Inscriptions; and also the Right or 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 also of doing any other Matter or Thing consistent with the said Cemetery.

Grant of exclusive Right of Burial in Vaults, &c. to be under Seal.

XXI. 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 any Family Vaults, Catacombs, Brick

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 any Monuments or Cenotaphs, shall be under the Common Seal of the said Company, 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,)

' "The Abbey Cemetery Company."

Form of Grant of Right of Burial.

' BY virtue of an Act passed in the Year of the
' Reign of Her Majesty Queen *Victoria*, intituled [*here insert the Title of this Act*], we, "The Abbey Cemetery Company," incorporated
' by and under the said Act, in consideration of the Sum of
' to us in hand paid by of
' do hereby grant unto the said
' the exclusive Right of Burial and Interment [*or, as the Case may be,*
' the Right and Privilege of erecting 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 [*or 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 Catacombs or Vaults therein. Given
' under our Common Seal this Day of
' in the Year of our Lord .'

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, Vault, or Grave described therein, or to be erected or made in pursuance thereof, in the Person purchasing the same, and his 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 Catacomb, Vault, or Grave, 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 Catacombs, Vaults, and Graves; 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, with a sufficient Description of the Catacomb, Vault, or Grave, or of the Piece of Ground for the making of a Catacomb, Vault, or Grave, comprised therein, so as to identify the same, and the Amount of the Sum paid for the Purchase thereof, shall, within Twenty-eight Days after the Date thereof, be entered in some Book to be kept by the Secretary or Clerk of the Company, for which the said Secretary or Clerk shall receive such Sum as the said Company shall think fit; and which Book may be perused at all seasonable Times by any of

Memorial of every Grant to be entered in a Book by the Clerk.

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 One Shilling to the Secretary or Clerk of the said Company.

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

XXII. And be it further enacted, That the exclusive Right of Interment in any Catacomb, Vault, or Grave which shall be so purchased as aforesaid, and which shall have been conveyed to the Purchaser 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 Lifetime or bequeathed by his last Will and Testament; and every such Assignment or Disposition (except by Will) shall be made in the Form or to the Effect following; (that is to say,)

‘ “The Abbey Cemetery Company.”

Form of Assignment of Grant.

‘ I *A. B.* of in consideration of the Sum of
‘ paid to me by *C. D.* of do hereby
‘ bargain, sell, and assign unto the said *C. D.* the exclusive Right of
‘ Burial or Interment in all [*here describe the Vault, Catacomb, or*
‘ *Burial Place*], which was granted to me [*or* unto *A. B.* of
‘] in perpetuity [*or as the Case may be*] by “The Abbey Cemetery Company,” by a Deed bearing Date the Day of
‘ and all my Estate, Title, and Interest therein, to hold the
‘ same unto the said *C. D.*, 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 .’

And every such Assignment 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 Catacomb, Vault, or Grave 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.

Derivative Assignments to be registered.

XXIII. 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 the exclusive Right of Burial or Interment in any Vault or Grave in the said Cemetery shall be devised, shall, if a Deed, within Six Calendar Months after the Execution thereof if executed in *England*, or within Six Calendar Months after the Arrival thereof in *England* if executed elsewhere (the Time of such Arrival to be verified by a Declaration made by some respectable Person before One of Her Majesty's Justices of the Peace, or before any Master Extraordinary in Chancery), which Declaration shall be delivered to and left with the Secretary or Clerk of the said Company, and if a

Will

Will, then within Six Calendar Months after the Probate thereof be produced to the Secretary or 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 Secretary or Clerk shall be paid such Sum as the said Company shall think fit; 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 private Vault, &c. without the Consent of the Owner.

XXIV. 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 the Conditions.

XXV. And be it further enacted, That it shall be lawful for the said Company to take down and remove any Monument, Cenotaph, Tablet, Monumental Inscription, Gravestone, and other Erection which shall have been erected or built contrary to the Terms and Conditions upon which Permission to erect and 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 Sepulchre therein shall have ceased or determined: 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.

Plan of the Ground to be kept by the Clerk.

XXVI. And be it further enacted, That a Plan or Ground Plot of the said Cemetery shall be made, by and at the Expence of the said Company, upon a Scale sufficiently large to show the Place and Situation of each and every Vault, Grave, and Place of Burial which shall or may be made therein; and all such Vaults, Graves, and Places of Burial shall be numbered, and such Numbers shall be entered in a Book to be kept for that Purpose, which shall contain the Names and Descriptions of the several Persons interred in such Vaults, Graves, and Places of Burial; and no Vault or Grave or Place of Burial shall be made in the said Cemetery without the same being marked out or otherwise designated in such Plan, and a corresponding Entry made in the said Book; and the said Plan and Book shall be kept by the Clerk of the said Company, and shall be open to the Inspection of every Proprietor of the said Company without Fee or Reward.

XXVII. And

Burials in Vaults must be in Lead Coffins.

XXVII. And be it further enacted, That it shall not be lawful to bury any Corpse within any Vault under the said Chapel unless the same be inclosed in a Coffin of Lead, or otherwise inclosed in Pitch of Half an Inch in Thickness between one interior and exterior Coffin of Wood.

Burials to be registered in proper Books to be kept by the Chaplain of the Company.

XXVIII. And be it further enacted, That all Burials within the said Cemetery in the consecrated Part thereof shall be registered in Register Books to be provided by the said Company, and kept for that Purpose by the Chaplain of the said Company, according to the Laws in force for keeping Registers in that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*; 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 Chaplain to 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 in which the said Cemetery shall be locally situated, to be kept and preserved with the Copies of the other Register Books of the Parishes within his Diocese: Provided always, that the said Register Books, so far as respects Searches to be made therein, and Copies or Extracts to be taken therefrom, shall be subject to such and the same Rules and Regulations as are provided in and by an Act made and passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for registering Births, Deaths, and Marriages in* England. 6 & 7. W 4. c. 86.

Proprietors may raise Money amongst themselves for the Undertaking not exceeding 4,000*l.*

XXIX. 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 Four thousand Pounds, in Shares of Fifty Pounds each; and such Shares shall be numbered, 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 and paying the same, and their several and respective Successors, Executors, Administrators, and Assigns, to their proper Use and Benefit, proportionably to the Sums they shall severally contribute; and all Corporations and Persons, and their several and respective Successors, Executors, Administrators, and Assigns, who have subscribed or shall severally subscribe for One or more Share or Shares towards the said Undertaking, shall be entitled to and shall receive, at such Time or Times as shall in manner herein-after provided be directed or appointed, in proportionable Parts according to the Number of the Shares so by them respectively subscribed for, the net Profits and Advantages which shall arise or accrue by the Sale or Disposal of Graves, Vaults, and Privileges of Interment, and other Sums of Money to be received by the said Company, as and when the same shall be divided; and all Corporations and Persons having such Property in the said Undertaking as aforesaid shall bear and pay a proportionable Sum towards carrying on the same to the full Amount of their respective Shares in the said Undertaking.

Shares to be Personal Property.

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

No Proprietor to be called upon for more than his Share.

XXXI. And be it further enacted, That no Proprietor of the said Company shall in any Case be called upon to advance or to be in any way liable for any Sum or Sums of Money beyond the Amount of the Share or Shares he may have in the Capital of the said Company.

Certificate of Shares to be delivered to the Proprietors.

New Certificates to be granted when old Ones are destroyed or worn out.

XXXII. And be it further enacted, That the said Company shall from Time to Time cause a Certificate, with the Common Seal of the said Company affixed thereto, to be delivered to every Proprietor, on Demand, specifying the Share or Shares to which he may be entitled in the said Undertaking, such Proprietor paying to the said Company such Fee (if any) as the Directors for the Time being shall appoint for every such Certificate; and in case such Certificate shall be worn out, damaged, defaced, burnt, or totally destroyed, or lost; then, upon due Proof thereof, a similar Certificate shall be given to the Party who was the Proprietor of or entitled to the Certificate so worn out, damaged, or defaced, burnt, destroyed, or lost; and a due Entry of the Substitute or Duplicate of such Certificate shall be made by the Secretary or Clerk of the said Company in manner herein directed, the said Company receiving for every such Certificate which shall be so substituted or given the Sum of Two Shillings and Sixpence, and no more; and such Certificate, whether original or substituted, shall be admitted in all Courts whatsoever as *primâ facie* Evidence of the Title of such respective Subscribers, their Successors, Executors, Administrators, or Assigns, to the Share or Shares therein specified, but the Want of such Certificate shall not hinder or prevent the Proprietor of any of the said Shares from selling or disposing of the same; and such Certificate may be in the Words or to the Effect following; (that is to say,)

‘ “The Abbey Cemetery Company.”

Form of Certificate.

‘ Number

‘ THESE are to certify That *A. B.* of is the Proprietor ‘ of the Share [*or* Shares] Number in “The Abbey ‘ Cemetery Company,” subject to the Rules, Regulations, and Orders ‘ of the said Company; and that the said *A. B.*, his Executors, Administrators, and Assigns, is and are entitled to the Profits and Advantages of such Share [*or* Shares]. Given under the Common Seal ‘ of the said Company the Day of in the ‘ Year of our Lord .’

Clergymen may be Proprietors of Shares.

XXXIII. And be it further enacted and declared, That any Clerk, Clergyman, or Ecclesiastical Person shall be legally competent to hold or enjoy and dispose of any Share or Shares in the said Company, or the Capital or Stock and Profits thereof, in like Manner and subject to the same Conditions as any other Person is by this Act authorized, and without being liable to any Penalty or Forfeiture or other

other Consequence by reason thereof; and the said Company may sue and be sued, and enjoy the same Privileges and Immunities, as they are or would be entitled to if no such Clerk, Clergyman, or Ecclesiastical Person was a Shareholder, any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

Proprietors of Shares may sell the same.

XXXIV. And be it further enacted, That it shall be lawful for the several Proprietors of Shares in the said Undertaking, and their respective Executors and Administrators and Successors, to sell and dispose of any Shares to which they shall be entitled therein, subject to the Rules and Conditions herein mentioned; and the Conveyance of such Shares shall be by Writing duly stamped, in which the Consideration of such Transfer shall be duly specified and set forth; and the Form thereof 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,)

' "The Abbey Cemetery Company."

Form of Transfer.

' I *A. B.* of in consideration of
' paid to me by *C. D.* of do hereby assign and
' transfer to the said *C. D.* Share, numbered
' [*or* Shares, numbered respectively] of and
' in the Undertaking called "The Abbey Cemetery Company," upon
' which Share [*or* upon each of which Shares] the Sum of
' Pounds hath been paid, to hold the same unto the said *C. D.*, his
' Executors, Administrators, and Assigns, subject to the same Con-
' ditions as I held the same immediately before the Execution hereof;
' and I the said *C. D.* do hereby agree to accept and take the said
' Share [*or* Shares], subject to the same Conditions. As witness our
' Hand and Seals the Day of .'

Memorial of Transfer to be made by the Clerk.

And on every such Sale the Deed or Conveyance (being executed by the Seller and Purchaser) shall be kept by the said Company, or by the Secretary or 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 Five Shillings, and no more, shall be paid to the said Company; and the said Company, or the Secretary or Clerk as aforesaid, is hereby required to make such Entry or Memorial accordingly, and, on Demand, to make an Indorsement of such Transfer on the Back of the Certificate of each Share so sold, and deliver the same to the Purchaser for his Security, and for which Indorsement no more than Five Shillings shall be paid; and such Indorsement, being signed by such Secretary or Clerk, shall be considered in every respect the same as a new Certificate; and until such Memorial shall have been made and entered as before directed, the Purchaser shall have no Part or Share of the Profit of the said Undertaking, nor any Interest in respect of such Share paid to him, nor any Vote in respect thereof as a Proprietor of the said Undertaking.

Application of Money to be raised.

XXXV. 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

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 the purchasing and paying for Lands, 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.

Power to raise Money by Mortgage.

XXXVI. And be it further enacted, That after One Half of the said Sum of Four thousand Pounds herein-before authorized to be raised by Subscription shall have been actually paid up, it shall be lawful for the said Company to borrow and take up at Interest any further Sum of Money, in addition to their said Capital of Four thousand Pounds, not exceeding in the whole the Sum of One thousand three hundred Pounds, on the Credit of the said Undertaking; and the said Company are hereby empowered to mortgage, assign, and charge the Property of the said Undertaking, and the Profits arising or to arise from the Sale or Disposal 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 borrowed as aforesaid, with Interest, to or for the Benefit of the Party, or to his Trustee, who shall advance the same; and such Mortgages, Assignments, and Charges shall be by Deed in Writing duly stamped, in which the Consideration shall be truly stated and set forth, and shall be made under the Common Seal of the said Company, and may be 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 Year of the Reign ‘ of Her Majesty Queen *Victoria*, intituled [*here set forth the Title ‘ of this Act*], we, “The Abbey 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 Privileges of Interment, and other ‘ the Sums of Money 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 satis- ‘ fied. Given under our Common Seal this Day ‘ of in the Year of our Lord .’

Mortgagees not entitled to Preference by reason of Priority in Date of the Mortgage.

And the respective Parties to whom such Mortgages or Assignments 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 Mortgage 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 Secretary or Clerk of the said Company, which said Book may be perused at all reasonable 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 Persons; and every Transfer thereof shall be by Writing duly stamped, in which the Consideration for the same shall be truly stated, and may be in the Words or to the Effect following; (that is to say,)

Form of Transfer of Mortgage.

'I *A. B.* of in consideration of the Sum of paid to me by *C. D.* of do hereby transfer a Mortgage or Assignment, Number made by "The Abbey Cemetery Company" to bearing Date the Day of for securing 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 .'

Transfers to be registered.

And every such Transfer shall, within Twenty 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 a Declaration made by some respectable Person before any of Her Majesty's Justices of the Peace, or before any Master or Master Extraordinary of the High Court of Chancery, which Declaration shall be delivered to and left with the Secretary or Clerk of the said Company), be produced to the Secretary or 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 Secretary or Clerk shall be paid the Sum of Five Shillings, and no more; and after such Entry or Memorial made every such Transfer shall entitle such Assignee, his Executors, Administrators, or 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.

XXXVII. 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 by the Space of Three Calendar Months 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 at any Time after the Expiration of such Three Calendar Months, it shall be lawful for any Two or more Justices of the Peace acting for the said County of *Salop* (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 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 Her Majesty's Courts of Record at *Westminster*.

Creditors not to be deemed Proprietors.

XXXVIII. 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 the said Company by reason or on account of his having advanced any Money on such Mortgage or Assignment.

In case Mortgages are paid off the Company may raise the Amount again.

XXXIX. And be it further enacted, That in case the said Company shall raise the whole or any part of the additional Sum of One thousand three hundred 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 One thousand three hundred Pounds in the whole shall be owing at any One Time on Mortgage or Assignment of or as a Charge upon the said Undertaking.

First Directors of the Company.

XL. And be it further enacted, That *Richard Taylor*, *Samuel Stanley*, *Thomas Groves*, *James Sayer* junior, *John Carline*, and *William Bayley* shall be and they are hereby appointed the first Directors to manage the Affairs of the said Company, and shall, except such of them as shall sooner die, resign, or become disqualified as hereinafter mentioned, continue in Office until the First General Meeting of

of the said Company to be held in the Month of *July* in the Year One thousand eight hundred and forty-one, and thenceforth until others shall be elected in their Place.

First and other Meetings of the Company.

XLI. And be it further enacted, That the First Meeting of the said Company shall be held on the Third *Monday* in the Month of *July* in the Year One thousand eight hundred and forty-one, and after such First General Meeting there shall be a General Annual Meeting of the said Company on the Third *Monday* in the Month of *July* in each and every Year, or within the Space of Twenty 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 Three Days Notice at the least shall be given, by affixing the same on the Doors of the Abbey Church adjoining to the said Cemetery, or by Advertisement to be inserted in some One or more of the Newspapers usually printed and circulated in the said Town of *Shrewsbury*, or by Letters from the Secretary or Clerk of the Company sent by Post or left at the usual Place of Abode of the Proprietors respectively as entered in the Books of the said Company; 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; and at every General and Special General Meeting of the said Company some one of the Directors present, and if no Director shall be present then some one of the Proprietors present, to be elected at the Meeting, shall preside as Chairman.

Meetings of Proprietors may be specially convened.

XLII. And be it further enacted, That any Three or more Proprietors of the said Company holding in the aggregate Six Shares or upwards in the said Undertaking may at any Time, by Writing under their Hands left at the Office of the said Company, require the Directors 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 affixed or given as aforesaid, the same may be called by such Three or more Proprietors, by giving Twenty-one Days Notice thereof in some One or more of the Newspapers usually printed and circulated in the said Town of *Shrewsbury*; 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 Majority 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 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.

XLIII. And

Business at Special General and adjourned Special General Meetings.

XLIII. 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 Special General Meeting other than the Business left unfinished at the Meeting from which such Adjournment took place.

Notice of Meetings how to be given.

XLIV. 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 Secretary or Clerk of the said Company, and shall be given by affixing the same to the Doors of the Abbey Church adjoining to the said Cemetery, or by Advertisement to be inserted in some One or more of the Newspapers usually printed and circulated in the said Town of *Shrewsbury*, or by Letters from the Secretary or Clerk of the said Company sent by Post to or left at the usual Place of Abode of the Proprietors respectively as entered in the Books of the Company; and such Notices, when so affixed, published, or given, shall be deemed and considered the same as if personally served.

Directions respecting voting at Meetings.

XLV. And be it further enacted, That at all General and Special General Meetings held by virtue of this Act every Proprietor shall have One Vote in respect of each Share which he may possess in the said Undertaking; and such Vote or Votes may be given by such respective Persons or by their respective Proxies constituted under the Hands of the 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 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 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 of the Proprietors of the said Company then present personally or by Proxy; and at every such Meeting the Chairman thereof shall and may not only vote as a Principal and also as a Proxy, but in case of an Equality of Votes shall and may also have a further or casting Vote; and the Determination of every such Meeting upon any Question, Matter, or Thing shall be taken to be the Decision of the said Company, notwithstanding any Irregularity which may have occurred in the giving or taking of any Votes at such Meeting; and the Appointment of every such Proxy may be made according to the Form or to the Effect following, or as near thereto as the Quality, Nature, and Number of the Appointer or Appointers of the Proxy thereby

thereby constituted and other Circumstances will admit; (that is to say,)

Form of Appointment of Proxy.

'*A. B.* of one of the Proprietors of "The Abbey 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, as the Case may be*, at the General or Special General Meeting to be holden on the Day of next] and at any Adjournment thereof, in such Manner as he the said *C. D.* shall think proper. In witness whereof the said *A. B.* hath hereunto set his Hand the Day of .'

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

XLVI. And be it further enacted, That whenever several Persons shall be jointly possessed of or entitled to any Share in the said Undertaking, the Person whose Name shall stand first on the Books of the said Company as Proprietor of such Share shall, for the Purpose of voting at any General or Special General Meeting of the said Company, be deemed the Proprietor of such Share; and all Notices directed by this Act to be given to the Proprietors of Shares in the said Undertaking shall and may, for or in respect of such Share 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 as entered in the Books of the Company; and such Notice to such Person shall be deemed sufficient Notice to all the Proprietors of the Share so jointly held for all the Purposes for which such Notice is intended to be given; and, as between several Proprietors, all such Proprietors shall be entitled to give their Vote in respect of such Share by the Person whose Name shall so stand first in the Books of the said Company as Proprietor of such Share, 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 Property in such Share, without Proof of the Concurrence of any other Proprietor or Proprietors of such Share.

Lunatics and Minors to vote by Committees and Guardians.

XLVII. And be it further enacted, That in case any Proprietor entitled to vote at any such Meeting as aforesaid shall be a Lunatic or an Idiot or a Minor, such Lunatic or Idiot shall or may vote at such Meetings by his Committee or by any One of his Committees, and such Minor shall or may vote by his Guardian or by any One of such Guardians; and such respective Committees and Guardians may vote in respect of the Interest of such Lunatic, Idiot, or Minor either in Person or by Proxy; provided that every such Committee, or Member of Committee, or Guardian, or each of several Guardians, may also vote in right of his own Share (if he shall have any) as well as in the Character of Committee or Guardian.

No Proprietor to vote unless he has paid up all Instalments.

XLVIII. 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 paid up the whole of his Sub-

scription in respect of such Shares at the Time of such Meeting; and every Proprietor who shall neglect to pay up the Amount of his Subscription within One Month after receiving Notice from the Secretary to the said Company shall forfeit his Share or Shares, and the Amount paid by way of Deposit to the said Company.

For electing future Directors.

XLIX. And be it further enacted, That at such First General Meeting to be held as herein-before mentioned Two of the Directors hereby appointed (to be determined by Ballot amongst themselves) shall go out of Office and cease to be Directors of the said Company, and Two Persons who shall be Proprietors in their own Right of any Shares in the said Undertaking 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 *July* which will be in the Year One thousand eight hundred and forty-two Two of the remaining Directors hereby appointed (to be determined as aforesaid) shall go out of Office and cease to be Directors of the said Company, and an equal Number of Persons who shall be Proprietors of any Shares in the said Company 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 *July* which will be in the Year One thousand eight hundred and forty-three the Two remaining Directors hereby appointed shall go out of Office and cease to be Directors of the said Company, and their Places be supplied by an equal Number of Persons; and at the General Meeting to be held in the Month of *July* in every subsequent Year Two 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 be supplied in like Manner: Provided always, that every Director who shall go out of Office on any Annual Day of Election may be immediately or at any future Time re-elected by the said Company a Director of the said Company, and after such Re-election he shall, with reference to the going out by Rotation, be considered as a new Director.

Directors going out of Office re-eligible.

For supplying Vacancies in the Direction.

L. And be it further enacted, That when and so often as any Director 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 (if they shall think proper so to do) to elect some other Proprietor to be a Director; and every such Proprietor so elected to fill up any such Vacancy shall continue in Office as a Director 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.

Powers and Duties of Directors.

LI. 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 General and Special 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 and Special General Meetings; and at all Meetings of the Directors One of the Directors present shall preside as Chairman; and all Questions, Matters, and Things which shall be discussed or considered at any Meeting of Directors shall be determined by the Majority of Votes of the Directors then present (each Director being entitled to One Vote in respect of every Share he may possess); and the Chairman of any such Meeting, 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 hereinafter mentioned) for the Management and Direction of the Affairs of the said Company, and for that Purpose to purchase Lands for the Purposes of this Act, and to appoint and displace all Officers and Servants of the said Company (except the Secretary or Clerk and Treasurer of the said Company), and to allow to such Officers and Servants such Salaries 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 Sums to be paid for the Purchase of the exclusive Right of Burial or Interment therein, or for the Right or Privilege of making Vaults and Graves, and of the Sums to be paid for single Interments, and to do and transact all other Matters and Things which shall be requisite or expedient for the Direction and Management of the Affairs of the said Company and the said Directors.

Three Directors to form a Quorum.

LII. 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 Three or more of the same Directors.

Directors not personally answerable for Acts legally done as Directors.

LIII. And be it further enacted, That none of the Directors of the said Company shall, by reason or means or on account of his being Party to, or making, signing, or executing, in the Capacity of Director of the said Company, pursuant to this Act, any Contract or other Instrument for or on behalf of the said Company, or otherwise lawfully executing any of the Powers and Authorities given to the said Directors by this Act, be subject or liable to be sued, prosecuted, or impleaded, either collectively or individually, by any Person whomsoever, in any Court of Law or Equity or elsewhere; and that the Bodies, Goods, Chattels, Lands, or Tenements of the said Directors, or any of them, shall not, by reason, on account, or in consequence of any such Contract or other Instrument so entered into, or made, signed, or executed by them or any of them as aforesaid, or any other lawful Act which shall be done by them or any of them in the Execution of any of the Powers and Authorities given to them or any of them by this Act, be liable to be arrested, seized, detained, or taken in execution, but that in every such Case any Person making any Claim or Demand upon the said Company, or upon any

Directors

Directors thereof, under or by virtue of any such Contract or Instrument or other lawful Act, may sue and implead the said Company in like Manner as if such Contract, Instrument, or other Act had been entered into and executed and done under the Common Seal of the said Company.

General Meeting to appoint Treasurer and Clerk, and take Security.

LIV. And be it further enacted, That the said Company shall, at some General or Special General Meeting, elect a Secretary or Clerk and Treasurer for transacting the Business of the said Company; and until such Election the said *James Bulckley Watkis* shall be the Secretary, and the said *William Wybergh How* the Treasurer to 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 Secretary or Clerk and Treasurer, or any Person 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 to act as Secretary or Clerk 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 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, or other Officer appointed by them or by the said Directors, having the Custody and Control 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 versâ.

LV. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint any Person who may be appointed their Secretary or Clerk in the Execution of this Act, or the Partner of such Secretary or Clerk, or any Clerk or other Person in the Service or Employment of such Secretary or Clerk or of his Partner, to be Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or a Partner of such Treasurer, or any Clerk or other Person in the Service or Employment of such Treasurer or his Partner, to be the Secretary or Clerk to the said Company for the Purposes of this Act; and if any Person shall accept both the Offices of Secretary or Clerk and Treasurer for the Purposes of this Act, or if any Person being a Partner of such Secretary or Clerk, or the Clerk or other Person in the Service or Employ of such Secretary or 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 his Partner, shall accept the Office of Secretary or Clerk in the Execution of this Act, or shall act as Deputy of such Secretary or Clerk, or in any Manner officiate for such Secretary or Clerk, or if any such 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 a Sum of One hundred Pounds to any Person who shall sue for the same

same, to be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case.

Power to appoint Committees.

LVI. And be it further enacted, That it shall be lawful for the said Directors to nominate and appoint a Committee or Committees, who shall have full Power and Authority to enter into and make any Agreement or Contract on behalf of the said Company, and to hire and employ any Servants, and to do, execute, and perform all such Matters and Things whatsoever, as the said Directors shall think proper to entrust to the Care and Management of such Committee; and that it shall be lawful for the Directors, by an Order or Resolution to that Effect, to break up and dissolve any such Committee, or to remove or displace any Member thereof, and to appoint some other in his Place; and every such Committee shall in all Things be under and subject to the Direction of the said Directors.

Orders and Proceedings to be entered in a Book.

LVII. 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.

Directors to cause Accounts to be kept.

LVIII. And be it further enacted, That the said Directors shall cause proper Books to be kept by a Book-keeper or by some other fit and proper Person who shall be appointed by the said Directors for that Purpose, and such Book-keeper or Person shall enter into the said Books true and regular Accounts of all Sums of Money which shall have been disbursed and paid; and such Books shall at reasonable Times be open to the Inspection of any of the Proprietors of the said Company, or of any Creditor for any Monies to be borrowed under the Authority of 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 shall refuse to permit or shall not permit the said Proprietors to inspect any such Book or Books or to take Copies or Extracts as aforesaid, such Book-keeper or other Person shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and applied in the same Manner as other Penalties are by this Act directed to be levied and applied.

Officers to account.

LIX. And be it further enacted, That any Officer or 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 to the said Directors, or to such Persons as they shall respectively for that

Purpose appoint, a true and perfect Account in Writing under his Hand of all Monies which shall have been by him 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 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 as are in his Possession or Power 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 the Books, Papers, Vouchers, and Writings in his 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 by their Authority and 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 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, 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 Distress and Sale of the Goods or Chattels 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 Justice such Accounts in Writing as aforesaid, or produce and deliver to the said Justice the several Vouchers and Receipts in his Possession or Power 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 or Person to some Common Gaol or House of Correction of or for the County, City, 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) in his Possession or Power 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, and the reasonable Charges of such Distress and Sale as shall in that respect have been made, or until he 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 be detained in Prison for any longer Space of Time than Three Calendar Months.

Directors to cause an Account of the Receipts and Disbursements to be annually laid before the Proprietors.

LX. 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 Meeting to be held in the Month of *July* in the Year One thousand eight hundred and forty-one, an Account 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 Hand of some One of the Directors of the said Company, of the State and Condition of the Company; and shall also, as far as the same may be practicable, cause to be prepared previously to and be produced at every Annual General Meeting to be held after the Annual General Meeting in the Month of *July* in the Year One thousand eight hundred and forty-one, an Account of such of the Receipts and Disbursements of the Company up to that Time as shall not have been included in any preceding Account, and the Particulars and Amount of the Funds or Property of the Company, and also a Report under the Hand of some One of the Directors of the Company of the State and Condition of the Company.

Clerk of the Company to enter and keep Lists of the Proprietors.

LXI. And be it further enacted, That the said Secretary or 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 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 Corporation, 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 Secretary or 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 Forty Shillings for the Benefit of the said Undertaking.

To compel Payment of Subscriptions.

LXII. And be it further enacted, That the several Persons who have subscribed or who shall hereafter subscribe for or towards the said

said Undertaking, and every Proprietor of any Share in the siad Undertaking, shall pay and they are hereby required to pay the respective Sums of Money by them respectively subscribed for, or such Parts or Proportions thereof 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, to such Persons and at such Times and Places as the Directors of the said Company shall from Time to Time direct and appoint; and if any Proprietor of any Share shall refuse or neglect to pay his rateable Proportion of the Money so to be called for at the Time and in the Manner required for that Purpose, then and in such Case, and so often as the same shall happen, 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, or, at their Option, (if the said Proprietors shall not pay their said Subscriptions within One Month after they shall receive Notice so to do) to declare such Shares and Amounts paid thereon to be forfeited to the said Company.

For ascertaining the Proprietorship of Shares in order to the Payment of Dividends.

LXIII. And whereas, by the Death of or by any 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, a Declaration 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 by some credible Person before some Master or Master Extraordinary in Chancery, or any One of Her Majesty's Justices of the Peace, and shall be transmitted to the Secretary or 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 shown to the said Secretary or 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 declared to by the Executors of the said Will or by the Administrators of the Intestate, before some Master or Master Extraordinary in Chancery, or any One of Her Majesty's Justices of the Peace as aforesaid, and, 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 Secretary or Clerk, who shall file and enter the same as

herein-before

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 as herein-before directed, a Declaration in Writing shall be made by some credible Person before some Master or Master Extraordinary in Chancery, or any One of Her 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 Declaration shall be transmitted to the Secretary or 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 Secretary or Clerk shall be entitled to receive for each such Entry as herein-before directed the Sum of Ten Shillings, 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 such Share as aforesaid shall be subject or liable.

Receipt of One Proprietor of a Share to be sufficient.

LXIV. And be it further enacted, That the Receipt of the Person or any One of the Persons in whose Name or Names any Share 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 other Sum of Money which shall become payable and be paid for or in respect of such Share, notwithstanding any Uses or Trusts upon or to which such Share shall be then settled, conveyed, or assigned.

Accounts to be made up annually, and a Dividend declared.

LXV. And be it further enacted, That 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 the Thirtieth Day of *June* in each Year, 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 yearly Meeting of the Proprietors of the said Undertaking 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 General or 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 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 may make

LXVI. Provided always, and be it further enacted, That, notwithstanding any thing herein contained, it shall be lawful for the said Directors

Dividends at intermediate Times.

Directors and they are hereby empowered to declare a Dividend at such intermediate 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.

Declaring what shall be good Service of Notice on the Company.

LXVII. 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 by leaving a Copy thereof at the principal Office of the said Company, or, in case the same shall not be found or known, then Service upon any Agent of or Officer employed by, or upon any One Director of the said Company, or delivering the same to some Inmate of the last or usual Place of Abode of such Agent, Officer, or Director, shall be good and sufficient Service of the same respectively on the said Company.

Notice by the Company.

LXVIII. 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 Secretary or Clerk for the Time being of the said Company, or by the Treasurer or by any Director 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 Clerk or other Officer of such Corporation, or be left at the Office of such Clerk or Officer, or be delivered to some Inmate of the last or usual Place of Abode of such Clerk or Officer; or in case there shall be no such Clerk or other Officer, or his last or usual Place of Abode or Office shall not be found or known, then the same shall be delivered to some Member of such Corporation, or to some Inmate of the last or usual Place of Abode of such Member, except in Cases in which any other Mode of giving such respective Notices is by this Act particularly directed.

Public Act.

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

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