CHAPTER cxcvi.

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An Act to enable the Guardians of the Poor of the parish of Saint Pancras Middlesex to acquire lands and hereditaments adjacent to their workhouse for the extension thereof; and for other purposes. [10th August 1882.]

43 G. 3. c. xx.

WHEREAS by an Act passed in the forty-third year of the reign of King George the Third intituled "An Act to provide a new "burial ground and erect a chapel thereon for the parish of Saint "Giles-in-the-Fields in the county of Middlesex" (in this Act referred to as the Act of 1803) the rector and churchwardens of that parish together with other persons were appointed trustees for putting that Act into execution and were authorised to purchase land not exceeding five acres in the whole in any parish in the county of Middlesex adjacent to the said parish of Saint Giles-in-the-Fields for the purpose of a burial ground for that parish and to inclose the same land or such part thereof as they thought fit and to erect thereon a chapel and it was by that Act (section 12) provided that the ground hereditaments and premises to be vested in the trustees under the powers of that Act and all buildings erected or to be erected thereon should from the vesting thereof form part of the said parish of Saint Giles-in-the-Fields free from all rates taxes and assessments to any other parish but subject to certain annual payments to the churchwardens which were abolished by the Saint Pancras and Saint Giles-in-the-Fields Disused Burial Grounds Act 1875 (in this Act referred to as the Act of 1875):

38 & 39 Vict. c. lxxii.

And whereas under the powers of the Act of 1803 the trustees purchased certain land and hereditaments in the parish of Saint Pancras in the county of Middlesex part of which was inclosed and consecrated for the purposes of a burial ground for the said parish of Saint Giles-in-the-Fields and a chapel was erected adjacent thereto and for the purposes thereof (in this Act called "the chapel")

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and the remainder of such land was demised by the trustees for the term of sixty-one years:

And whereas the said burial ground was by an Order in Council long since closed as a burial ground and the chapel then ceased to be used for ecclesiastical purposes and has been appropriated as a school house:

25 & 26 Vict. c. lxx.

And whereas by the Saint Giles-in-the-Fields Glebe Act 1862 (in this Act referred to as the Act of 1862) it was enacted that all the lands and hereditaments then vested in the trustees for the purposes of the Act of 1803 should at the passing of the Act of 1862 be annexed to and become glebe of the parish of Saint Giles-in-the-Fields and be held and enjoyed by the said rector accordingly subject to any right privilege or easement which any person before the passing of the Act of 1862 had or his heirs or personal representatives thereafter might have in respect of any vault grave tomb or tombstone or the maintenance thereof or the access thereto:

And whereas the rector was by the said Act of 1862 authorised to borrow on the security of the lands thereby vested in him as glebe except such part as had been used for interments any sums not exceeding in the whole two thousand pounds and provision was made by that Act (section 16) for the repayment of any sums so borrowed by means of a sinking fund:

And whereas the rector in pursuance of such authority has borrowed the sum of one thousand nine hundred and sixty-one pounds twelve shillings and tenpence which has been reduced by means of the sinking fund to the sum of one thousand two hundred pounds which sum is still owing or claimed to be owing to Alexander Brown under the provisions of an indenture made the twenty-sixth day of August one thousand eight hundred and sixty-three between Anthony Wilson Thorold the then rector of the one part and Alexander Brown of the other part:

And whereas the said disused burial ground of Saint Giles-in-the-Fields adjoined the burial grounds of and attached to the old parish church of Saint Pancras which burial grounds had long prior to the year 1875 ceased to be used for burial and by the Act of 1875 the vestry of the said parish of Saint Pancras (in this Act called the vestry) were empowered to lay out all the said disused burial grounds as an open space (in that Act and in this Act referred to as the public inclosure) which should be accessible to the public under certain conditions and under the control of the vestry and the vestry were also empowered by the said Act to acquire compulsorily certain lands buildings and hereditaments adjoining the said disused burial grounds and to pull down the said

buildings if and when acquired and to throw the site thereof into the public inclosure:

And whereas the vestry have laid out the said burial grounds as such open space but have not acquired the said buildings and their powers for so doing have expired:

And whereas the Saint Pancras Workhouse is in need of extension and the site of the said buildings and chapel would form a convenient site for that purpose and it is expedient that the Guardians of the Poor of the parish of Saint Pancras (in this Act called the Guardians) should be authorised to acquire the same:

And whereas the public inclosure would be greatly improved by the removal of certain cottages known as Eve's Place and forming part of the lands proposed to be acquired by the Guardians and it is expedient that the Guardians be authorised when they shall have acquired the same to convey a portion thereof to the Vestry to be by them laid out as part of the public enclosure and that in exchange therefor the Guardians be authorised to acquire an easement over a strip of the public inclosure:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

And whereas a plan showing the lands to be taken for the purposes of this Act and a book of reference to that plan containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of those lands have been deposited with the clerk of the peace for the county of Middlesex and that plan and book of reference are herein referred to as the deposited plan and deposited book of reference:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):

Short title.

1. This Act may be cited as the Guardians of the Poor of the Parish of Saint Pancras Act 1882.

Incorporation of general Acts.
8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.
32 & 33 Vict. c. 18.

2. The Lands Clauses Consolidation Acts 1845 1860 and 1869 so far as they are applicable for the purposes of and not varied by or inconsistent with this Act are hereby incorporated with this Act.

Interpretation—Same meanings &c.

3. Terms to which meanings are assigned in enactments wholly or partially incorporated herewith or which have therein special meanings have in this Act the same respective meanings unless there be something in the subject or context repugnant to such construction.

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Power to acquire lands in Saint Giles and Saint Pancras parishes. 4 & 5 W. 4. c. 76.

4. Subject to the provisions of this Act the Guardians may enter upon take and use and appropriate for the purposes of the extension of the Saint Pancras Workhouse in accordance with the provisions of the Poor Law Amendment Act 1834 all or any of the lands buildings and hereditaments delineated on the deposited plan and described in the deposited book of reference relating thereto and referred to in the schedule to this Act.

As to lands to be acquired from the Midland Railway Company.

5. The lands to be acquired from the Midland Railway Company under the powers of this Act shall be applied to no other purpose than the extension of the workhouse and if such lands shall at any time hereafter cease to be required for that purpose the Guardians shall before disposing of or otherwise applying such lands offer to re-sell the same to the Midland Railway Company in the manner provided by the Lands Clauses Consolidation Act 1845 with respect to the sale of superfluous lands to persons entitled to rights of pre-emption.

Correction of errors in deposited plan and book of reference.

6. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plan or specified in the deposited book of reference the Guardians after giving ten days notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the county of Middlesex for the correction thereof and if it appear to the justices that the omission mis-statement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Middlesex and a duplicate thereof shall also be deposited with the vestry clerk of the parish of Saint Pancras and the clerk of the Board of Works for the district of Saint Giles-in-the-Fields according as the land affected thereby shall be situate in the parish of Saint Pancras or the parish of Saint Giles-in-the-Fields and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plan and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Guardians to take the lands and execute the works in accordance with such certificate.

Rector may convey said premises in parish of St. Giles-in-the-Fields.

7. The said rector may execute to the Guardians a conveyance of the said disused chapel and the site thereof and other the lands in the parish of Saint Giles-in-the-Fields described in Part I. of the schedule to this Act and thereupon and upon payment of the sum of

eleven thousand five hundred pounds to the persons and in the manner herein-after provided (being the consideration for the same) all the estate right and interest of the said rector and his successors of and in the said chapel lands and premises shall vest in the Guardians freed and discharged from all ecclesiastical and other uses trusts purposes and obligations except as is in this Act provided with reference to the remains of the dead buried beneath the said disused chapel and such conveyance shall be duly stamped and may be in the form contained in Schedule A of the Lands Clauses Consolidation Act 1845.

Application of purchase money.

8. The said sum of eleven thousand five hundred pounds shall be paid as follows that is to say the sum of one thousand two hundred pounds being the balance of principal moneys borrowed on mortgage by the rector by virtue of the power contained in the Act of 1862 shall be paid to the said Alexander Brown upon the said Alexander Brown giving a proper discharge for the same the sum of three hundred pounds shall be paid to the said rector to defray the costs charges and expenses incurred and to be incurred by him in relation to this Act and the conveyance herein-before provided for and the sum of ten thousand pounds being the remainder of the said purchase money or consideration shall be paid to the Ecclesiastical Commissioners for England and shall be held by them for the benefit of the said rector and his successors in the said rectory of Saint Giles-in-the-Fields and be dealt with according to the directions contained in the second section of the Ecclesiastical Leasing Act 1858 (21 and 22 Vic. cap. 57) in reference to the application and disposal of the moneys referred to in that enactment.

As to the disused chapel.

9. The Guardians shall from and after the vesting in them of the said disused chapel and subject to the other provisions of this section keep in decent order and repair the vaults and tombs beneath the said disused chapel and shall not without the previous consent in writing of Her Majesty's Secretary of State for the Home Department make any alteration therein nor wilfully permit interference therewith nor shall any of the bodies buried under the said disused chapel be moved disturbed or in any way interfered with without the said consent in writing first given as aforesaid.

As to site for vicarage of Old Saint Pancras.

10. The Guardians shall not acquire compulsorily under the powers of this Act the estate and interest of the Ecclesiastical Commissioners for England in that part not exceeding thirty feet in width of the piece of land numbered 16 on the deposited plan which the Ecclesiastical Commissioners shall by notice in writing given to or left at the office of the clerk to the Guardians signify their intention to retain as a site for a house of residence for the vicar of

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the parish of Old Saint Pancras unless and until the Guardians shall have conveyed to the Commissioners in exchange for such part of the said piece of land such portion of the land acquired under the powers of this Act (other than land acquired from the Midland Railway Company) and fronting Pancras Road which the Commissioners shall be willing to accept.

Houses of labouring classes.

11. The Guardians shall not less than eight weeks before they take in either parish fifteen houses or more occupied wholly or partially by persons belonging to the labouring classes as tenants or lodgers make known their intention to take the same by placards handbills or other general notice placed in public view upon or within a reasonable distance from such houses and the Guardians shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that they have so made known their intention to take the same.

Guardians to convey to vestry certain of the lands when acquired.

12. The Guardians as soon as they shall have acquired the lands described in Part I of the said schedule shall grant and convey to the vestry upon such terms as may be agreed on between the Guardians and the vestry all the estate right and interest of the Guardians of and in so much of those lands as the Guardians and the vestry may agree shall be conveyed to the vestry in exchange for the perpetual easement over the herein-after described portion of the public inclosure and the vestry shall thereupon pull down and remove the buildings standing on the lands so conveyed to them.

Guardians to acquire easement only over part of lands.

13. Upon the execution of the said grant and conveyance to the vestry the Guardians shall by virtue of this Act be deemed to have acquired a perpetual easement over the surface of that portion of the public inclosure shown on the deposited plan and described in the deposited book of reference which is situate eastward of the premises numbered in Pancras Road with the even numbers from 98 to 136 both inclusive and may fence off such portion from the remainder of the public inclosure. The said portion of the public inclosure so fenced off shall thenceforward be exempt from the provisions of the Act of 1875 but nevertheless shall be maintained by the Guardians as an open space and no building other than such fence as aforesaid shall be erected on any part thereof.

Lands conveyed to vestry to form part of the public inclosure.

14. The vestry shall throw the lands conveyed to them by the Guardians under the powers of this Act into and shall hold the same as a part of the public inclosure and the several provisions of the Act of 1875 relating to the public inclosure and to the vestry in relation thereto shall subject to the provisions of this Act extend and apply to the said lands so conveyed.

As to approach to public inclosure.

15. The Guardians shall not stop up the approach to the public inclosure unless and until they shall have provided to the satisfaction of the vestry a proper and convenient approach thereto from Pancras Road.

The chapel may be pulled down.

16. The Guardians may pull down and remove the chapel and appropriate the materials thereof.

As to borrowing of moneys.

17. The Guardians shall borrow all moneys necessary for carrying into effect the purposes of this Act (including the payment of the costs charges and expenses of and incidental to the preparing applying for obtaining and passing of this Act) under and according to the provisions of the Poor Law Amendment Act 1834 as amended by any subsequent Act or Acts.

Costs of Act.

18. The costs charges and expenses preliminary and of and incident to the preparing for obtaining and passing of this Act shall be paid by the Guardians.

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The SCHEDULE referred to in the foregoing Act.

Part I.

Certain lands in the detached part of the parish of Saint Giles-in-the-Fields adjoining the Vestry Hall of the parish of Saint Pancras comprising the lands houses buildings and hereditaments numbered in Pancras Road with the even numbers from 90 to 96 both inclusive also the cottages buildings and hereditaments at the back of the said number 90 and known as Eve's Place the said disused chapel and the site thereof and the approach to the public inclosure.

Part II.

Certain lands in the said parish of Saint Pancras comprising the lands houses buildings and hereditaments numbered in Pancras Road 98 and 100 and with the even numbers from 104 to 136 both inclusive and also a plot of land adjoining number 100 on which a house formerly stood.

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