# Correspondence and papers relating to the proposed new York Friends burial ground at the Retreat and its opening, 1854-1855

## **Publication/Creation**

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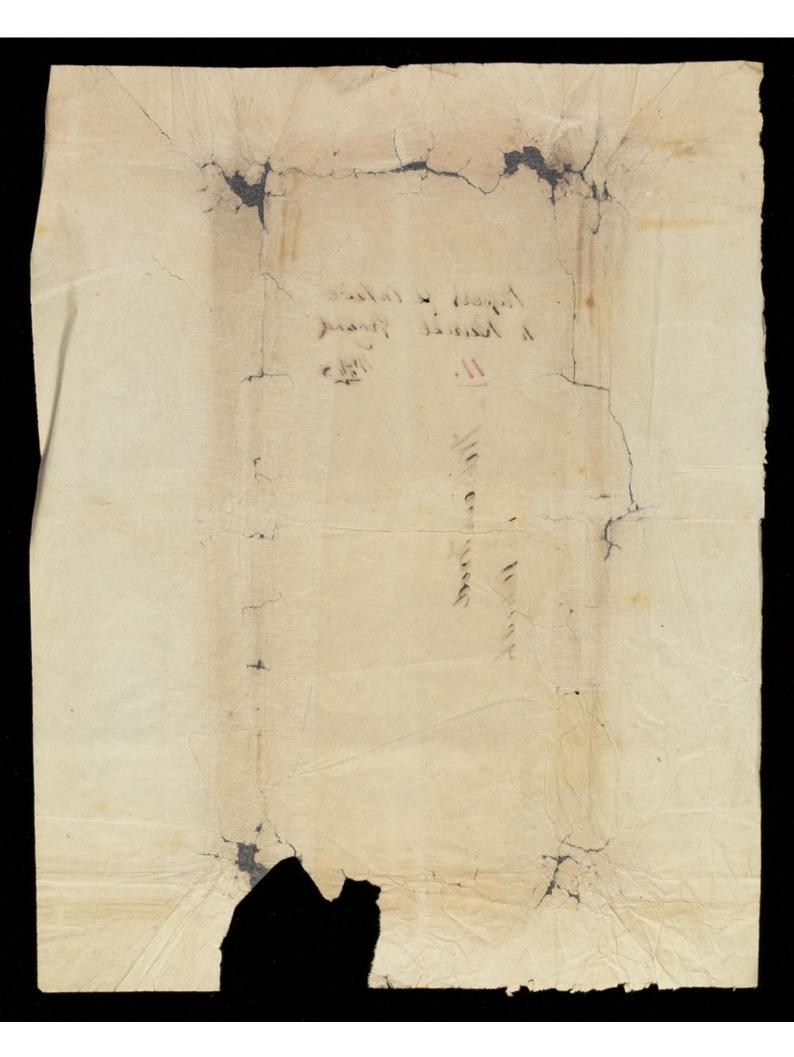
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Papers & lative Pround Pround William hood The Remeat



Council Office, Whitehall, 18 da 1854.

Sir,

I am directed by the Lord Thesident of the Council to transmit to you for the Information and Guidance of all whom it may concern, the enclosed Order of Her Majesty in Council directing that no New Burial Ground shall be opened in the places therein named, without the previous approval of One of Her Majesty's Trincipal Tecretaries of Thate; and for discontinuing Burials in the Lunkies Burial fround in the paint of Many Bishsphill the Eller God.

I am,

The flack ofthe Luchi's Builty of our most oberient Servant, in the paint of the many trishophill

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Siv,

Council to transmit to you the enclosed printed copies of an Order of Her Majesty in Council giving Notice of a Representation, made by Viscount Palmerston one of Her Majesty's Principal, Secretaries of State, that nonew Burial ground should be opened without the previous approval of a Secretary of State in the places therein named, and that Burials should be discontinued in the such is Principal from In The Janich of Many Bishophill the Elder, York:

and appointing a day for the Consideration of such Representation by Her Majesty's Phivy Council; and I am to request that you will forthwith take steps for carrying out the directions contained in the 16th and 17th Victoria, Cap. 134, Sec. 1, and repeated in the said Order, ( so far as concerns the above named Farish ) by having the copies of such Order affixed in the manner

Luahis Buil from I the Lauit of A Many Bishaplile the Elder

therein

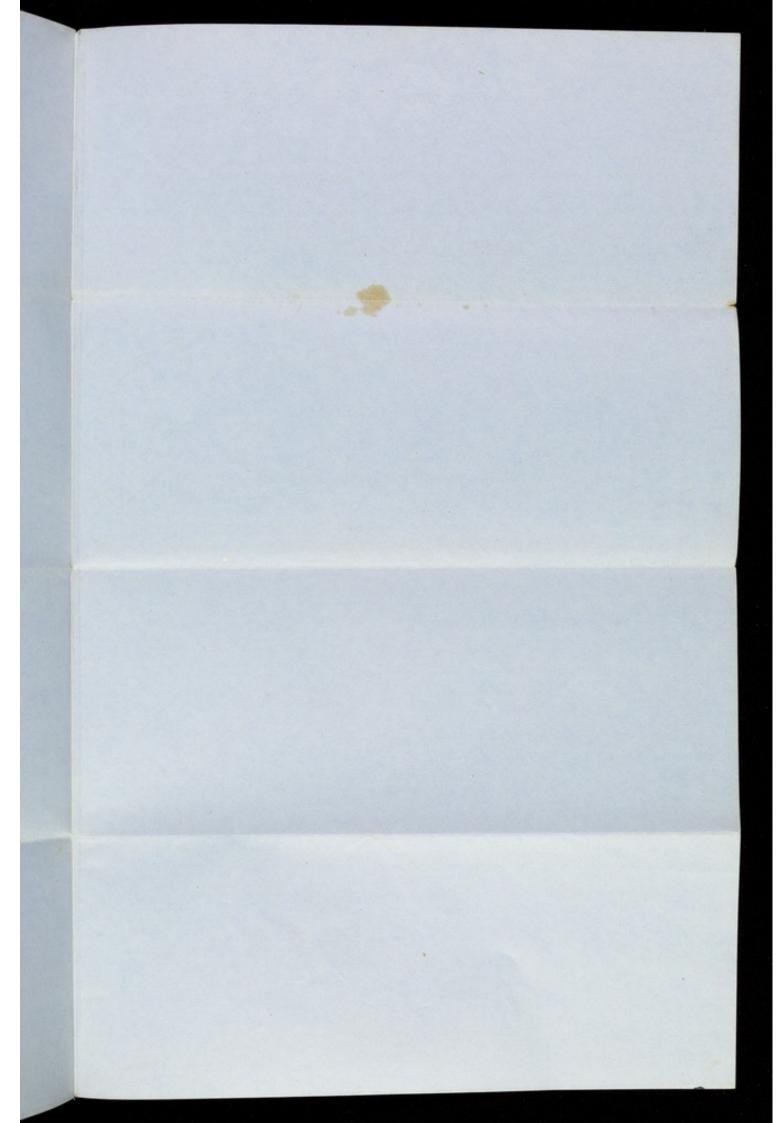
therin directed; to remain so affixed for one Month before the day so appointed in the enclosed Orders— I have also to request that at the expiration of the Month during which these Orders shall have been affixed as afforesaid, you will transmit to mer (under cover to "The Clerk of the Council in Waiting") a Certificate, or Notice, thereof.—

Jam,

Sir,

Your most obedient Servant,

My athant



Malny to Mic Change Ma Buly T the Court at Buckingham Palace, the | 11th day of December, 1854,

#### PRESENT.

The QUEEN's Most Excellent Majesty in Council.

WHEREAS by an Act, passed in the session of Parliament, held in the sixteenth and seventeenth years of Her Majesty's reign, intituled " An Act to amend the laws concerning the burial 
of the dead in England, beyond the limits of the " metropolis, and to amend the Act concerning the "burial of the dead in the metropolis;" it is enacted, that in case it appears to Her Majesty in Council, upon the representation of one of Her Majesty's Principal Secretaries of State, that, for the protection of the public health, the opening of any new burial-ground in any city or town, or within any other limits, save with the previous approval of one of such Secretaries of State, should be prohibited, or that burials in any city or town, or within any other limits, or in any burial-ground or places of burial, should be wholly discontinued, or should be discontinued subject to any exception or qualification; it shall be lawful for Her Majesty, by and with the advice of Her Privy Council, to order that no new burial-ground shall be opened in any city or town, or within such limits, without such previous approval, or (as the case may require), that after a time mentioned in the Order, burials in such city or town, or within such limits, or in such burial-grounds or places of burial, shall be discontinued wholly, or subject to any exceptions or qualifications mentioned in such Order, and so from time to time, as circumstances may require; provided always, that notice of such representation, and of the time when it shall please Her Majesty to order that the same be taken into consideration by the Privy Council, shall be published in the London Gazette, and shall be affixed on the doors of the churches or chapels of, or on some other conspicuous places within, the parishes affected by such representation, one month before such representation is so considered; provided also, that no such representation shall be made in relation to the burial-ground of any parish until ten days' previous notice of the intention to make such representation, shall have been given to the Incumbent and Vestry Clerk or Churchwardens of such parish.

And whereas the Right Honourable Viscount Palmerston, one of Her Majesty's Principal Secretaries of State, after giving to the Incumbents and the Churchwardens of the parishes hereinafter mentioned ten days' previous notice of his inten-tion to make such representation, has made a representation stating that, for the protection of the public health, no new burial-ground should be opened in the city of York, or within two miles of its boundary, without the consent of one of Her Majesty's Principal Secretaries of State, and that burials shall be discontinued therein, with

the following modifications.

And whereas Her Majesty was pleased, by Her Order in Council of the eighteenth day of October last, to give notice of such representation, and to order that the same be taken into consideration a Committee of the Lords of Her Majesty's Most Honourable Privy Council, on the second day of December instant; and such Order has been published in the London Gazette, and copies thereof have been affixed as required by the said Act.

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, is pleased to order, and it is hereby ordered, that no new burial-ground shall be opened in the city of York, or within two miles of its boundary, without the previous approval of one of Her Majesty's Principal Secretaries of State; and that burials in the said city be discontinued, with the following modifications, from and after the twenty-third day of December instant (except as is herein otherwise directed), as follows, viz.:

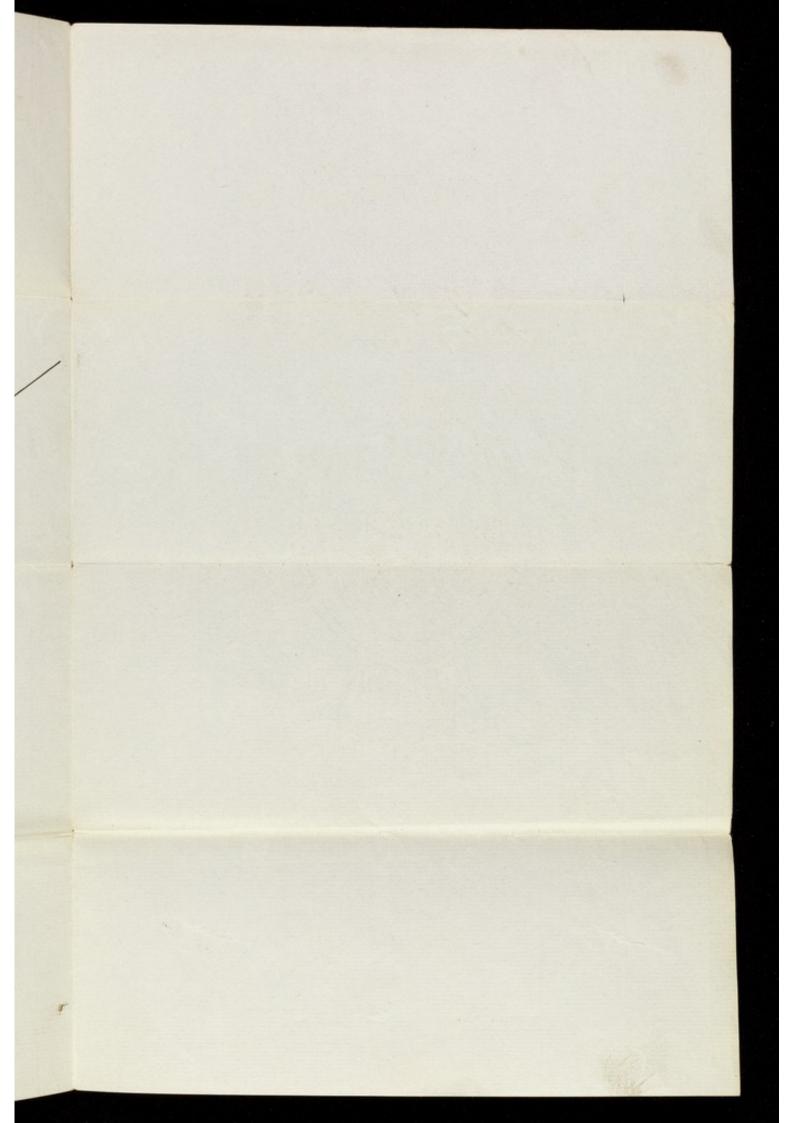
Forthwith in the Cathedral, in the church and churchyard of All Saints North-street, in the church and churchyards of St. Crux, St. Cuthchurch and churchyards of St. Crux, St. Cuth-bert, St. Dennis, St. Helen Stonegate, the Holy Trinity Goodramgate, the Holy Trinity King's-court, the Holy Trinity Micklegate, St. John Micklegate, St. Margaret, St. Martin Coney-street, St. Martin-cum-Gregory, St. Mary Bishophill the elder, St. Mary Bishop-hill the younger, St. Mary Castlegate, St. Maurice, St. Michael-le-Belfrey, St. Michael Spurriergate, St. Sampson, St. Saviour, and St. Olave Marygate; in the churchyards of All Saints Pavement and of St. George; in the older part of the churchyard of St. Lawthe older part of the churchyard of St. Lawrence, and within the church; (the new part of that churchyard is to be properly drained, and no more than one body is to be buried in each grave, nor with a covering of less than four and a half feet of earth, measuring from the upper surface of the coffin to the level of the ground); in Lendal Chapel Burial-ground, and in the English Presbyterian Chapel and Burial-ground, in the parish of St. Saviour: and from and after the first August, one thousand eight hundred and fifty-five, in the Quakers' Burial-ground, in the parish of St. Mary Bishophill the elder.

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I Shitchell 1) February 1855 Referring to your letter of the 3-lette Jan directed by Secretary Si Jeorge Grey to inform you that he has received from Dr. Sutherland, Inspector of Burial Grounds, a Report on the proposed new Burial Ground for the Society of Friends at York; And Shereby Lynify to you dir George Jugis approval, as required by the 1st Letine of W. Joseph Rowntree

the 16 817 Wich. C. 134. and by the order made by Her Majesty in Council. in pursuance thereof, of the piece of ground selected, consisting of three quarters of an Acre, the situation of which is shown on the plan forwarded herewith for the purposes of Burial. Your obedient Servant Henry trattog





To York Treparative Meeting, & the Retreat Committees. The committee appointed in consequence of the Government direction to discontinue the use of the Burial Ground on Bishophell, present the tollowing narrative as a record of the proceedings which have been taken in connexion therewith. The sealed order of the Queen in Council bears date the 11th of December 1854. It directs that "Burials be discontinued in the Quakers Burial Ground in the parish of It Many Bishophell the older from and after the first of August one thousand eight hundred and fifty five." The friends of York Meeting and the Committee of the Ketreal, after much consideration and repeated conferences on the subject, concluded that it was desirable to possess one common Burial Ground available alike for the Meeting and the Retreat, rather than & continue distinct places of interment, and it was ultimately arranged to appropriate a portion of the Retreat Estates for the purpose of providing such Burial Ground. The following memorial which describes the site selected was prepared and forwarded to the Secrelang of State viz Z In acknowledging the receipt of the Memorial some further information was requested by the Government Commissioner Dr Sutherland and forwarded to him by the committee. Shorely after wards he came to yok and personally inspected the fround It Sutherland expressed hunself as entirely satisfied with the site and on his return to Vondon the following warrant of approval was

issued (see X) The Government approval of the site being thus obtained the Committee directed its attention to the arrangements which appeared to be required in adapting the land for the purposes of a Burial Ground. It was determined that some portion of the land near the south west corner should be raised by laying upon it spare earth taken from the foundations of the New Buildings of the Retreat and that no part of the Burial Ground should be less than eight feel above the level of the drain which separates the Retreat Estate from the Freeman's Strang. On the south side of the from a boundary wall will have to be built, and it is the intention of the Ketreal commetter to continue this wall to the extreme limit of the Institution's estate on this side. A carriage road from the fates in Heslington rows through the Retreat fields along side the eastern boundary of the estate will have to be made and some planting and won fencing will be required. We think it preferable for these works to be executed by the Retreat Committee but as the Burial Ground is for the mulual service of the freeds of york Meeting and the Retreat a fair proportion of the cost of their execution and of the value of the land should be borne by York Friends. The principal expendelure will be in erecting the boundary wall, but as this wall is highly desirable for the Retreat independent of the Burial Ground and will have to be made much higher than is required for the Bureal Ground, a portion only of its cost can properly be charged to this

account. The quantity of land intended to be inclosed is about three quarters of an acre which at the present rate of mortality and reckoning suigle interments only would provide for about sixty years. Less than half this from well provably be taken by york Meeting but ed as it is deemed desirable that the charge of west maintaining the fromo, fences, roads To should pare be bome exclusively by the Retreat we think ew after enquiry and close consideration that about one hundred and fefty pounds ought to be juice feet by york Triends to the Ketreat as an equivalent for the right of Burial which by the present arrangement is granted to them in perpetuity rall The Burial fround will remain legally the sole property of the Trustees of the Kelreal Estate all but as these trustees are subject to the conditions which attach jenerally to the holding of the Society's property nothing more appears needful have than to record in the minute of the Treparative Meeting and in those of the Retreat Commetter y the Conditions as now understood by the several parties. If hereafter any dissiculty should mitte arise in connexion with the working or contin uance of this arrangement which york Frends and the Retreat Committee are unable satisfactorily to remove it is understood and agreed by the several parties that such matter shall be referred to York Quarterty Meeting of Friends and that the directions of such meeting as declared by the minutes of its Clerk shall conclusively determine the same We think that the care of the Bureal Ground as regards general arrangements appoint

ment of the fraves to should be placed in two friends one to be appointed by York Meeting the other by the Kelreal Committee and that the ground be designated John Mitching. Daniel H. Tuke

Brisi addiesent To Viscount Galmerston Leducen in Legunoil having been pleas to direct Ihat after the first of august 1855 ale Birials It all be dissortinued in the Beshophilo the elder, city of york; also Hat mew no new Burled ground shale be opened without the approval of one offler hapesty's principal Jecritatries of Hate, and Such order having been doriched to me by the leterk of the Council aged duty published by The members of the Religious Locarly of triends rejedent in horter and its very ly havening carifully Condidered the arrangements which will be presessary on the closing of their Burial ground, and they now requests Thy approval of a piece of land to be used as a Burid ground by them, which is situated in the parish of Fulford, & which they have selected as eligible for this purposes outrough gray the In the accompanying map this plot is coloured from ansmarked with the letter B-th is bounded on the north & west by land belonging to the Rebush The Jast by hasturo land belonging to Thomas Barstow andon the South by legumon land called Malmothe Atyays which cannot be but whon The approach is from the Hestington

Egodo as sherongon Me plan by My yellow line this intended to fence of about 3630 Lquerry and and frameto a depth beyond what is regulare forgraves. The nearest human habitotions are the Retright lyen ldings at a distance for the treatment of but and patients Mulonging to the Hociety of Finends of the institution sestate. It las been tous Letisted as being the extreme limits of the estate, and least likely hereafter to be approached by buildings -The Retrial Hospital contains experiends of one hundred potents and it made employs as a Burnel mound for its spisial use the Amale froh of land shewn on the map colours with remilion and marked with the letter, A Thy Directors of the Rebud Tospeter the Triends of yorks meeting, haw arranged ( subjects to they approval of the Site selected). that henseforthithey would unite, and use one plot of ground only as a place 0 of Burial, closing the Buriel ground now used on the Ribert estate as well as that in the city of yorker The burials at the Bytrick are riather more numerous Man More in the

city in Motenzian ending To will 1853\_ the busials inthe betrick Jx. ground were 55 - and in Me But topkilo ground 46 Tham om this any 0 information which is distiple of shell be start to supply the defisiency will mech they approval ne inse ital remain very respectfully uti oseph Rowntreo York 1 12 1855 1852+ 1855 u een mil loler & of Me bounsie in to acting to 120 le loutre Mereby, report Het the Order 16 le of the Queen intering bearing No date October 23\_1834 Vitation to the Motor of the Quekers Burial growns in Whitaker of many Bristophile

Milder out of many Bristophile

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may mer dericted in the said 4 5)-Tud lare Da 1 order york lupisifully ers for Kountrus Ne mis

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Sand formed tils approaches he afternas bono by the Athest Committee, it King habitant that york Friends had the right of Behrial from in it in perpetuly 

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Kindes arfulas

Proposed new burial ground for the Society of Friends in york. at the Retreat,

The part coloured thermition is a buri at ground containing about 500 Square your swhit has been exclusively and for patients dying in the Retreat. This ground is within 400 Feet of the meanest part of the building & it is proposed to close it when the new one is opened.

The park Bolowed Pink is the proposed new board fround for the Society of Friends in york & contains about 3630 Square yourds, or Ih of an acre. The soil is sand & gravel to a depth boyand what is required for graves — It is bounded on the North & west by Land belonging to the Robert on the East by Land belonging to the Robert on the East by Land belonging to the Gotton Barytow Eggs, & on the South by the water of the water gate Stray which connect be built upon.

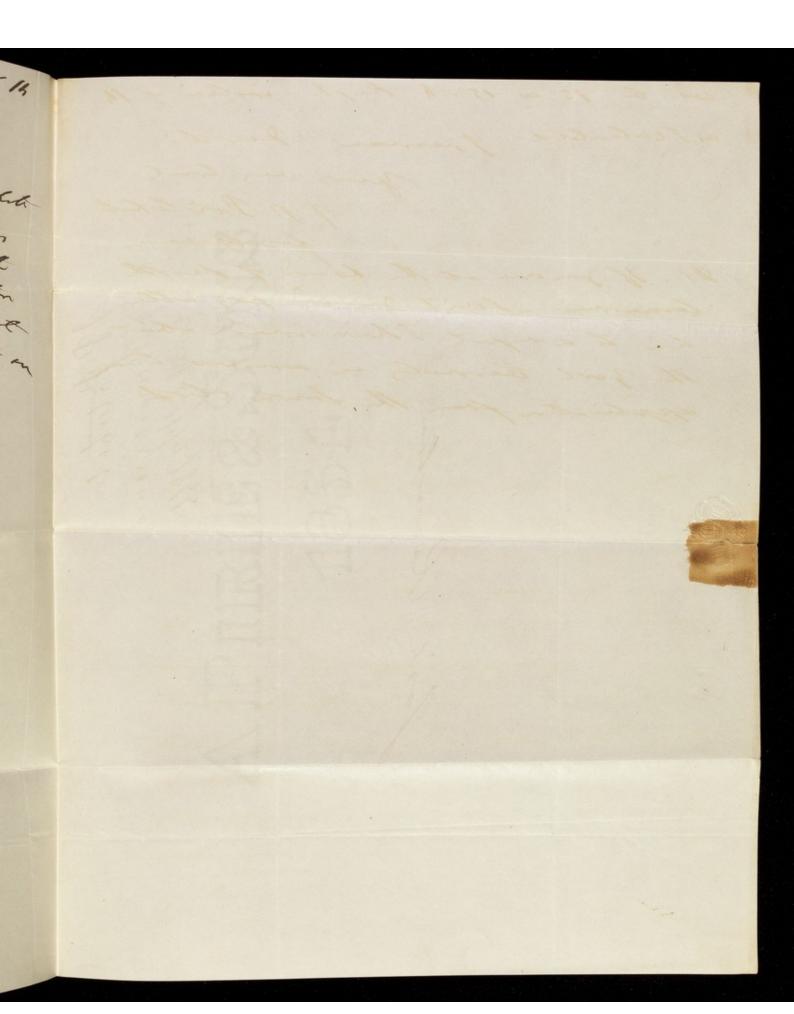
The New fround is 1000 Feet from the nearest part of the Retreat & consider rably more from any other development

The yellow line is the proposed road to the burial ground from the Hesting ton Road

James Brown of her

13. Lendal . York. Jany 22 10155 Scar for I delayed anding you the and and tile the weather permetted me to take the accurate level -I have done so this morning a find it with to much the best to place the Cernely layetudenally or yhour . to present so my much filling up I have very attentions survent the hat course while is so was offermin that then can be with dente it with by best to lay a draw a carry the walk the autour of draw The with not ineven the expense, or if the is a draw, the brukert med not be on Cornert, - att draw can be land before the wall i built while will some pumping daming de - the surface ofthe strong is nearly sful about the water in the drawn. I I must few her shall have to se 2.6 or 3 feet lower so the the wall ( fet about the stray)

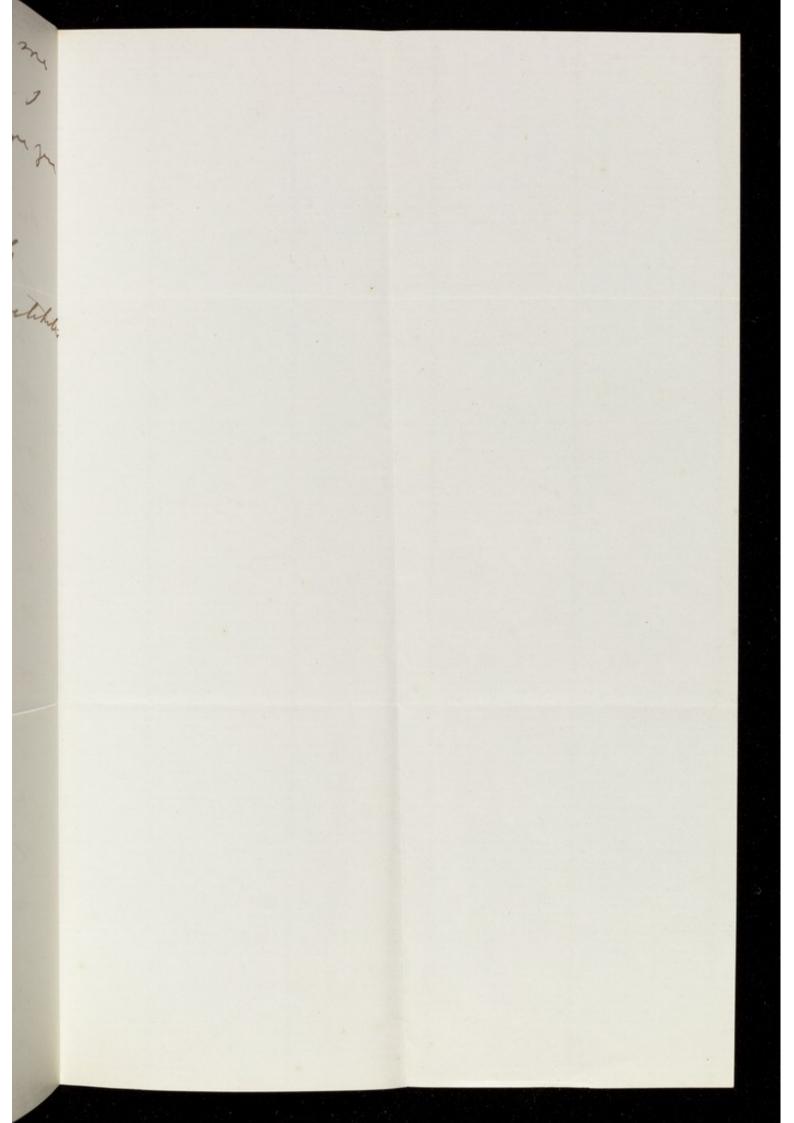
with the 15 or 15. 6 high instead of the as I calentated from Level Juns very Grus 1. 1 Probable 91. If you are at the to and of he the tomeron - Lwit on wil por atten ten to a reject I have much along the your Cerrily in arison to application from the Town chil in from the of second I don my attentions sures to the the on a hard dense is collect but to by a draw is can the ward Martin of dear the his me in in the same, and the - o den, the declared and and to m Comme - at have con a leis of the Rock i being this ord sain humping denning de - the surface The strong is seen of spire the wat in the draw is a found for in attein and 18 for the the



J. P. Patotat on Burie Ground wall / 12/835 when Day

13. Lendal, York. Joby 16" 1055 Ican Sir I have famished the Plans & letter for the Parture Marten - daso the estimate of the walls & Frains & law sent then to you thanking you would like to conside The before the Muling on Mands or The 12 Into fine to post one new 3/9 delement at the statem. I have it suported & went to Pickerged who showed me the lost list of

If you wish to see me befor the much, I with call any time you may fix. your truly 1. O. Dretha In Rentur



Ner Rivertice

Home Office Chambers,

4 OLD BAROCHMOND TOPPACALINSTER

Whitehall,

Sent 12 th 1855.

Lor

Having been directed by Viscount Palmerstan to report on a pear of land prohosed to be det apart by the Society of Friends at York ha brief ground, I write to aske you the so good as Lend me one a two lune details about it in addition to the pule I satisfacting amount in your. letter to to home Office. 1 .. Is the grown of dry, or

is water found in it? and if so Jehr at what depth? the depth of 8 for sold at the depth of 8 for sold and to which the lower to would Water hurt It drawage hass hito any abou The grand with ne gain dooning but with to water beed for dornestic husborer? This and Could it be Satisfactured draw? with a line and with a feart of the same with a peart of the same and with a peart of the same and with the same and the same and with the same and with the same and the same an the purposes but Men 4 = Is the Conformation often toni ground & the Character of the n Inil Similar to that of the adjucent Cemetery? soil clay & sand to the he b

or water Course represents on to South side ofthe ground, on the back: is the water ofthet deter used for any Immete hurbore, & is the ground so much abone its level as adotate bich to be permeated by the water and there hours and the sounds of the state of the sounds of the able to report at once on the ground but it bould be more databalting for me to which I could do on my hert lowney to the harter. Perhabs in the mean time, You would he to good as dead me to hitmati. Jan hi Gen Bort Lent South Rountre Ey

D. Sutherland letter fr. on new Burial Ground 1mo.12. 53

Edeem Friend Sutherland Sent loy of Braker and the accompanies That well find all the information registrol Jame Butchile has which I indose tenewith the days to the flow office when the apply stin gether will med ever every requery

Thomas In looking at the M plot as shewn in the Ordenance no mah & Company it will I & Britcheles Sketch\_ Hon wice to probbly notice Mal & BBritates that the refer where the 4 Thomas the Ordinance mich the to aria is the some in both but at their lest survey - our committee Li professio the arrangement stewn in It, sketch angan ho a Saintony interest in appears 1 to be involved it is simply 0 - This Mobile two of Triends to build a wale along side the 4 li

We she cause or School and and the Sparch of Shreen Me burial 1.th anne Thay Jull Sheres 1 rice Lidges or brown lacking and ratol. the fossibly in Mexican med yer. mystlike he ketts to A Han is shown The hul in the plan, the plot inflored mile Theron being langer Man ewn and present to hard better Litter want outh Sides BX Cto Mittenty from the mitter wards Ut Details on the sides BX arı the tetration does not ophian nos lings very exactly as the healer, out of the the

from the time Harang denser woods be convenient tous My singenfriend York · Jor Howntro hm122/835.

AT the Court at Windsor, the 18th day of October, 1854.

## PRESENT,

The QUEEN's Most Excellent Majesty in Council.

WHEREAS the Right Honourable Viscount Palmerston, one of Her Majesty's Principal Secretaries of State, after giving to the Incumbents and the Churchwardens of the parishes hereinafter mentioned ten days' previous notice of his intention to make such representation, has, under the provisions of an Act, passed in the session of Parliament, held in the sixteenth and seventeenth years of Her Majesty's reign, intituled "An Act to amend the laws concerning the burial of the dead in England beyond the limits of the "metropolis, and to amend the Act concerning the burial of the dead in the metropolis," made a representation stating that, for the protection of the public health, no new burial-ground should be opened in the city of York, or within two miles of its boundary, without the previous approval of one of Her Majesty's Principal Secretaries of State, and that burials should be discontinued therein, with the following modifications:—

Burials to be discontinued forthwith in the Cathedral, in the church and churchyard of All Saints North-street, in the church and churchyards of St. Crux, St. Cuthbert, St. Dennis, St. Helen Stonegate, the Holy Trinity Goodramgate, the Holy Trinity King's-court, the Holy Trinity Micklegate, St. John Micklegate, St. Margaret, St. Martin Coney-street, St. Martin-cum-Gregory, St. Mary Bishophill the elder, St. Mary Bishophill the younger, St. Mary Castlegate, St. Maurice, St. Michael-le-Belfrey, St. Michael Spuriergate, St. Sampson, St. Saviour, and St. Olave Marygate; in the churchyards of All Saints Pavement and of St. George; in the older part of the churchyard of St. Lawrence; and within the church (the new part of the churchyard to be properly drained, and no more than one body to be buried in each grave, nor with a covering of less than four and a half feet of earth, measuring from the upper surface of the coffin to the level of the ground); in Lendal Chapel Burial-ground, and in the English Presbyterian Chapel and Burial-ground, in the parish of St. Saviour; and burials to be discontinued from and after the first August, one thousand eight hundred and fifty-five, in the Quaker's Burial-ground, in the parish of St. Mary Bishophill the elder.

Now, therefore, Her Majesty in Council is pleased hereby to give notice of such representation, and to order that the same be taken into consideration by a Committee of the Lords of Her Majesty's Most Honourable Privy Council, on the second day of December part

the second day of December next.

And Her Majesty is further pleased to direct that this Order be forthwith published in the London Gazette; and that copies thereof be affixed on the doors of the churches or chapels of, or on some conspicuous places within, the parishes affected by such representation, one month before the said second day of December.

Wm. L. Bathurst.

to obselfation of mention 10mo 18-1884

of the Rightest estate Hestingtrajo as for the Society of Friends in Morks\_ Replies to & Sutherland, queries to the found in the and of to at what, and what, and what, affinish to consist of Sandy have In the trial holes beget feel deep very little water water 2my 2 of Angure Training would the Traingulass into any water could he Lales factority drained answer 2\_ The growth is capable of being falle factority droined The or our ope would not hadd into any waln used for domestio purposes Lucy 3- are there agy wells near to it and at what distance to the grounds Touthought which suppose it flundlesston legited yard, atta at a Light level fran the proposed sike! Lucry 14 & the conformation of the ground, and the chargater of My Doil Similar to Hat of the adjacent leg me terry answers IB. Butchett telle me

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