Anno quinto

Georgii III. Regis.

An Act for rebuilding the Pariſh Church of *Alhallows on the Wall*, in the City of *London*; and for rebuilding the Houſe belonging to the Rector of the ſaid Pariſh; and for purchaſing ſeveral Pieces of Ground and Tenements thereon, to render the Paſſages to and from the ſaid Church and Houſe more commodious.

WHEREAS the Church of the Pariſh of Alhallows on the Wall, of the City of London, is a very ancient Fabrick, and in ſo ruinous a Condition, that it is dangerous for the Inhabitants of the ſaid Pariſh to attend Divine Service therein, and in the Opinion of able and experienced Workmen the ſaid Church cannot be effectually repaired; but for the Safety and Convenience of the Inhabitants of the ſaid Pariſh, it is abſolutely neceſſary that the ſame ſhould be pulled down and rebuilt: And whereas Martin Allyn, by his Will, dated the Second of January One thouſand four hundred and Preamble.

thirty two, gave a House or Tenement, with a Garden adjoining to the Church-yard belonging to the said Parish, to the Rector of the said Parish and his Successors for ever, and the Rectors of the said Parish have from that Time lived in the said House, which is now become very old and ruinous: And whereas, in order to render the Passage to and from the said Church safe and commodious for the Inhabitants of the said Parish, and for enlarging the said Church-yard, it will be necessary to pull down and rebuild the said House, and to purchase a small Spot of Ground adjoining on the West to the said House, with a small Tenement, Shed, and Stable thereon, and Two other small Pieces of Ground lying open to and within the Walls or Limits of the said Church-yard, which will be too burdensome to be effected by the Inhabitants only: Now, to the Intent the said Church may be rebuilt for the publick Worship of God, and that the Steeple, and also the Rector's House, may be rebuilt, and the Church-yard enlarged, and the Way to and from the Church made more commodious and safe, and that the same may be effected in a Manner that may be least burthensome to the Inhabitants of the said Parish; May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Rector of All-hallows on London Wall for the time being; the Church-wardens and Overseers of the Poor of the said Parish for the time being; the Lord Mayor of the City of London for the time being; the Right Reverend the Lord Bishop of London for the time being; all the Members who serve in Parliament for the City of London for the time being; the Alderman of Broad-street Ward for the time being; the Deputy and Common Councilmen for the Ward of Broad-street for the time being; Sir George Colebrooke Baronet, the Master and Wardens of the Worshipful Company of Carpenters for the time being; Isaac Picatus Shard, Charles Buckworth, Mathew Brettingham, Richard Muilman, Vansittart Hudson, John Poultney, and Adam Smith, Esquires; James Leigh, John Corbin, Humphrey Bache, Thomas Bowlby, William Gardner, Thomas Upton, John Peerman, Daniel Highmore, Benjamin Branthwaite, Milson Clifton, James Wrench, Thomas Cox, Robert Skerritt, John Elderton, Abraham Haigh, Peter Foulle,

Trustees.

James Anderſon, James Stevenſon, Andrew Grant, Humphrey Gillam, Gilbert Howard, John Purrier, Thomas Stevenſon, William Richardſon, Thomas Spriggs, Thomas Holman, Robert Hows, Samuel Luck, and John Biſſell, Gentlemen; ſhall be, and they and their Succeſſors, to be elected in Manner hereafter mentioned, are hereby nominated and appointed Truſtees for putting this Act in Execution.

Election of new Truſtees;

And be it further enacted, That from time to time, during the Continuance of this Act, when and ſo often as the Number of the Truſtees appointed, or to be elected by virtue of this Act, ſhall be reduced to leſs than Forty, it ſhall and may be lawful for the ſurviving Truſtees, or any Seven or more of them, at any publick Meeting to be held for that Purpoſe, by any Writing or Writings under their Hands and Seals (without any Stamp thereupon) to nominate, elect, and appoint, other fit and able Perſons to be joined with them, for the Purpoſes of this Act; which ſaid Perſons ſo to be nominated, elected, and appointed, ſhall be and are hereby inveſted with the ſeveral Powers by this Act granted and given to the Truſtees herein before nominated and appointed.

Their Qualification.

Provided always, That no Perſon ſhall act as a Truſtee in the Execution of this Act (other than thoſe intitled to be Truſtees by virtue of their Offices as aforeſaid) who ſhall not reſpectively pay, or be liable to pay, either as Landlord or Tenant, for Twenty Pounds a Year, towards the Rates and Aſſeſſments herein after mentioned; nor ſhall any Perſon act as a Truſtee in the Execution of this Act, who ſhall undertake any Part of the Building of the ſaid intended Church, Steeple, or Rector's Houſe, or have any Share or Intereſt in any Contract relating thereto; and every ſuch Perſon ſhall from thenceforth be utterly diſabled and diſqualified from acting in the ſaid Truſt.

Truſtees Firſt Meeting;

And be it further enacted, That the ſaid Truſtees ſhall meet on the Firſt Day of May, One thouſand ſeven hundred and ſixty five, in the Veſtry-Room of the ſaid Pariſh of Alhallows on the Wall, and ſhall then proceed to put this Act in Execution; and ſhall and may adjourn themſelves, and afterwards meet there, or at any other Place, as the ſaid Truſtees, or any Five or more of them, ſhall think proper, as often as it ſhall be neceſſary for putting this Act in Execution: And if there ſhall not appear at any ſuch Meeting a ſufficient Number of Truſtees to act, and to adjourn to any other Day, then,

then, and in such Case, such Person as the said Trustees, or any Five or more of them, shall appoint for that Purpose as their Clerk or Agent, shall or may summon or give Notice to the said Trustees to meet at the Place where the last Meeting of the said Trustees was appointed to be held on that Day Sevennight.

to defray their own Expences;

And be it further enacted, That the said Trustees shall, at all their Meetings, defray their own Charges and Expences.

not to act but at a Meeting;

And be it enacted, That the said Trustees shall not do any Act in Execution of the Powers hereby granted, except at such Meeting held pursuant to such Notice or Adjournment as aforesaid.

may rebuild the Church, Rector's House, &c.

And be it enacted, That the said Trustees, or any Seven or more of them, shall cause the said Parish Church, and Steeple thereof, and Rector's House, to be pulled down, and rebuilt of such Dimensions, and in such Manner and Place within the said Parish, as by the said Trustees, or any Seven or more of them, shall be agreed upon.

and may purchase Lands:

And be it enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, are hereby authorized and impowered to contract for and purchase any Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments, which they, or any Seven or more of them, shall think necessary, for the rebuilding the said Parish Church, and enlarging the said Church-yard, and for making One or more commodious Way or Ways to the same; and to take a Conveyance of such Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments, in Fee, to such Person or Persons as the said Trustees, or any Seven or more of them, shall appoint, in Trust for the said Trustees and their Successors.

After Purchase, they may use the Ground as a Church-yard.

And it is hereby further enacted and declared, That immediately after such Purchase and Conveyance shall be made as aforesaid, and upon Payment of the Money agreed to be paid as the Purchase or Consideration for the same, the said Lands and Grounds shall and may be deemed and taken to be Part of the Church-yard of the said Parish, and shall be for the future, after Consecration thereof, used as such, or for building the said intended Church; and shall also be used and employed for the Purpose of building the Rector's House upon, or for One or more Way or Ways to the said Church, in such Manner as the said Trustees, or any Seven or more of them, shall appoint.

And be it enacted, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, all Feoffees or Lessees in Trust, Executors, Administrators, or Guardians, or other Trustees whatsoever, for or on behalf of any Infant, Feme-covert, or others, and for all and every other Person or Persons whatsoever, who are or shall be seised or possessed of, or interested in, any such Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments, to treat, contract, or agree with the said Trustees, or any Seven or more of them, for the Sale or Alienation of the same, or their Interest therein, and to sell and convey the same to the said Trustees, for the Purposes aforesaid; and all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be good, valid, and effectual, to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing, to the contrary thereof in any wise notwithstanding: And all Feoffees or Lessees in Trust, Executors, Administrators, Guardians, and Trustees, Corporations Aggregate or Sole, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act. Bodies Politick, &c. may convey.

And be it further enacted, That if any of the Owners or Occupiers, Bodies Politick, Corporate, or Collegiate, or any other Person or Persons interested in the said Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments, intended to be purchased by virtue or under the Authority of this Act, upon Notice to them given, or left in Writing at the Dwelling-house or Dwelling-houses, or Places of Abode, of such Person or Persons, or of their chief Officer or Officers of such Bodies Politick, Corporate, or Collegiate, or at the House of the Tenant in Possession of the Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments, so to be taken in for the Purposes aforesaid, shall, by the Space of Twenty one Days next after such Notice given or left as aforesaid; or in case any of the Lands, Houses, or other Premisses being unoccupied, shall, after Notice thereof hath been affixed Fourteen Days upon some conspicuous Part of the said unoccupied Premisses, neglect or refuse to treat, or shall not agreed for the Sale of the same, or any of them respectively as aforesaid, or by reason of Absence shall be prevented from treating, then, and in every such Case, the said Trustees, or any Seven or more of them, are hereby impowered to issue their Warrant or Warrants, Precept or Precepts, to Occupiers, &c. refusing to treat, Damage and Recompence to be settled by a Jury.

to the Sheriffs of the City of London, or other Officers, having the Return of Writs, thereby commanding and requiring him to impanel and return a Jury of Twenty four ſubſtantial and diſintereſted Perſons to appear before the ſaid Truſtees, or any Seven or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants, Precept or Precepts, ſhall be appointed: And the ſaid Sheriffs, or their Deputy or Deputies, or other Officer as aforeſaid, are hereby required to impanel, ſummon, and return Twenty four ſubſtantial diſintereſted Men of the ſaid City, to appear before the ſaid Truſtees, or any Seven or more of them, at ſuch Time and Place, or Times and Places, as in ſuch Warrant or Warrants, Precept or Precepts, ſhall be appointed, for which Time and Place all Parties intereſted ſhall have Eight Days Notice, in Manner aforeſaid; and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jury; and out of the Perſons ſo to be impanelled and returned, or out of as many of them as ſhall appear according to or upon the ſaid Summons, the ſaid Truſtees, or any Two or more of them, or One or more Juſtice or Juſtices of the Peace for the ſaid City of London, ſhall ſwear, or cauſe to be ſworn, Twelve; which Oaths any Two or more of ſuch Truſtees, or ſuch Juſtice or Juſtices, is or are hereby impowered to adminiſter: And for Default of a ſufficient Number of Jurymen, the Sheriffs, or other Officer, or their Deputy or Deputies, ſhall return other honeſt and diſintereſted Men of the Standers-by, or that can be ſpeedily procured to attend that Service, ſo as to make up the Number of Twelve: And the ſaid Truſtees, or any Seven or more of them, are hereby impowered and required, from time to time, as often as Occaſion ſhall be, to ſummon and call before them, by Precept or Precepts, under the Hands of Seven or more of the ſaid Truſtees, any Perſon or Perſons who ſhall be thought proper and neceſſary as a Witneſs or Witneſſes touching or concerning the Premiſſes, and to examine the ſaid Witneſſes before the ſaid Jury upon Oath; which Oath any Two or more of the ſaid Truſtees, or One or more Magiſtrates for the ſaid City of London, are hereby impowered to adminiſter; and ſhall alſo cauſe the ſaid Jury to view the ſaid Places in Queſtion, if there ſhall be Occaſion, or any of the Parties intereſted ſhall deſire the ſame; and uſe all ſuch other lawful Ways and Means, as well for their own as the ſaid Jury's better Information in the Premiſſes, as they

Jurors may be challenged.

Truſtees may examine Witneſſes.

they the said Trustees, or any Seven or more of them, shall think fit: And the said Jury shall thereupon enquire what Damages will be sustained thereby, and what Recompence and Satisfaction ought to be made to such Owners, Occupiers, or Proprietors, or other Person or Persons interested for or on account of the taking of or converting the same Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments, for the Purposes aforesaid, or to any other Person or Persons who may be injured thereby; and shall assess or award the Sum or Sums to be paid to every such Person or Persons accordingly: And the said Sheriffs, or other Officer as aforesaid, shall be paid for his Fee, in and about the Premisses, the Sum of One Pound One Shilling, and no more; and his and their Deputy or Deputies, for summoning the said Jury, the Sum of Ten Shillings, and no more; and each of the said Jurymen so to be sworn, the Sum of Ten Shillings, and no more; which said several Sums shall be respectively paid out of the Monies to be raised by virtue of this Act: And the said Trustees, or any Seven or more of them, shall and may give Judgement for such Sum or Sums of Money so to be assessed by such Jury or Juries respectively; and shall thereupon order the same to be paid to the Owners or Occupiers of, or other Person or Persons interested in, the said Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments, according to such Verdict or Inquisition; which said Verdict and Inquisition, and the said Judgement or Determination, so had and made, shall, after Tender of the Sum or Sums of Money so assessed or ordered as aforesaid, or the same being left in the Hands of the said Sheriffs of London, as hereafter mentioned, be final, binding, and conclusive, without any Appeal therefrom, to all Intents and Purposes, against all Parties and Persons whomsoever, claiming in Possession, Reversion, Remainder, Expectancy, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes-covert, and Persons under what Disabilities soever, Bodies Politick, Corporate, or Collegiate, as well as all and every other Person or Persons whomsoever; and all and every such Owner, Occupier, and Proprietor respectively, and all and every Person and Persons any-wise interested in such Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments, shall thereby, from thenceforth to all Intents and Purposes, be absolutely divested of all Right, Title, Claim, Interest, and Property, of, in,

Jury to assess.

Trustees to give Judgement.

to, or out of, the same; and the same shall from thenceforth no longer remain or be deemed as private Property, but be converted into, and remain and be used for the Purposes aforesaid.

Penalty on Officers, &c. Neglect.

And be it further enacted, That the said Trustees, or any Seven or more of them, shall have Power, from time to time, to impose any reasonable Fine or Fines on such Sheriffs or other Officers as aforesaid, or their Deputy or Deputies, making Default in the Premisses, or any of the Persons who shall be summoned and returned on such Jury or Juries, who shall not appear, or shall refuse to be sworn on the said Jury, or, being so sworn, shall refuse or neglect to give his or their Verdict concerning the same, or in any other Manner shall wilfully neglect his or their Duty therein, contrary to the true Intent and Meaning of this Act; and also upon any Person or Persons required to give Evidence before the said Jury touching the Premisses, who shall refuse or neglect to appear in order to be examined or to give Evidence touching the same: And all such Fines shall be levied in such Manner as any Penalty by this Act inflicted is directed to be levied, so as no such Fine exceeds the Sum of Five Pounds on any One Person.

Consideration-money charged on Rates, &c.

And be it further enacted, That all and every such Sum and Sums of Money, Consideration, Recompence, and Satisfaction, to be agreed for, ascertained, or assessed, as aforesaid, shall be and are hereby charged and chargeable upon the several Rates which shall be raised pursuant to and for the Purposes of this Act, and shall be paid out of the Monies borrowed on the Credit of the same, and next and immediately after Payment of the Expence of procuring this Act, to the Persons respectively intitled thereto: And in case any such Person or Persons shall refuse to accept the same, then the same shall and may be left in the Hands of the Sheriffs of London for the Use of the Persons intitled thereto, to be by them paid, upon Demand, to such Person or Persons, or according to his or their Appointment, under his, her, or their Hand and Seal, executed in the Presence of Two or more credible Witnesses: And in case after Fourteen Days Notice thereof given in Writing to such Person or Persons, or in case of vacant Possession, published in the London Gazette, he, she, or they shall still refuse, neglect, or not appear to accept the same, it shall and may be lawful for the said Trustees, or any Seven or more of them, to take Possession of the said Houses, Buildings, Tenements, or Hereditaments, and cause

Trustees may take Possession:

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the same to be pulled down, and to convert, make, lay, and use the Soil thereof, and all other Lands and Grounds to be purchased by this Act, for rebuilding the said Church and Rector's House upon, and enlarging the said Church-yard, and for making One or more Way or Ways to the said Church or Church-yard, and also to wall or fence in the same, as the said Trustees, or any Seven or more of them, shall think fit; and the said Houses, and all the Materials thereof, after Payment or Deposit of the said Money as aforesaid, shall be vested in the said Trustees; and they, or any Seven or more of them, may sell and dispose of the said Houses and Materials, and apply the Money thereby arising in such Manner as the Rates and Monies to be raised by virtue of this Act are hereby directed to be applied.

Provided always, and be it further enacted, That the said Trustees shall not take Possession of, or enter into any such Lands, Tenements, or Hereditaments, until such Payment or Deposit of the Recompence or Satisfaction, so assessed and adjudged, shall be made as aforesaid, otherwise than by surveying, taking a Level of, and marking out, the Ground which shall be intended to be made use of for the Purposes aforesaid; which it shall and may be lawful to and for them, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall appoint, at any convenient Time to do, doing as little Damage as may be, and giving Three Days Notice to the Owner, Occupier, or Possessor, of such Lands, Tenements, or Hereditaments, of the Time of their coming to make such Survey, or to take such Level, or mark out such Grounds, and making Satisfaction for all Damages that shall be done on such Occasion, so as such Damages exceed the Sum of One Shilling; and the said Ground or Land, and the Soil of such Houses, Buildings, or Tenements, as shall be pulled down by virtue of this Act, to be converted for the Purposes aforesaid, shall, to all Intents and Purposes, after Consecration thereof, become and be deemed, and taken to be, the publick Church of the said Parish. May survey.

Provided always, That no Person shall act as a Trustee in any Case relating to the contracting for, purchasing, or ascertaining the Value of, any Lands, Buildings, Tenements, or Hereditaments, wherein he shall be concerned in Interest. No Trustee to be concerned in Interest.

And, to the End that all the Monies that shall arise by the Rates to be collected as herein after mentioned, and the

the Money to be advanced and lent upon the Credit of this Act, in Manner herein after mentioned, may be duly paid, and faithfully applied, to answer and discharge all such Sums of Money as shall be necessary for rebuilding the said intended Church and Steeple, Rector's House, and enlarging the Church-yard of the said Parish, and making the Way thereto more commodious and safe, as well for the Inhabitants as others;

Rates vested in Trustees,

be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall and may receive and take the several Rates herein after mentioned; and the same are hereby vested in the said Trustees for the Purposes aforesaid, and shall be by them paid and applied to and for the several Uses and Purposes, and in such Manner, as herein is mentioned (the Charges and Expences of obtaining this Act being first paid, satisfied, and deducted, as aforesaid) and the said Trustees, or any Seven or more of them, shall and may cause the said Rates (after Demand thereof made, and Refusal or Neglect to pay the same) by Warrant or Warrants under their Hands and Seals, directed to such Person or Persons as they, or any Seven or more of

and may be levied by Distress.

them, shall appoint, to be levied by Distress of the Goods and Chattles belonging to the Person or Persons liable, and so neglecting or refusing, and to detain and keep the same until such Rates, with the reasonable Charges of such Distress, shall be paid; and that it shall and may be lawful for such Person or Persons so distraining (after the Space of Five Days next after such Distress taken) to sell the said Goods so distrained, returning the Overplus (if any be) to the Owner or Owners thereof, after such Rate or Rates, and reasonable Charges of such distraining, keeping, and selling, shall be deducted.

Parishioners to nominate Four Inhabitants;

And be it further enacted, That it shall and may be lawful to and for the Parishioners of the said Parish of Alhallows on London Wall, in their Vestry assembled, and they are hereby authorized, empowered, and required, on Thursday in Easter Week, after passing this Act, to nominate Four substantial Inhabitants of the said Parish (not being of the People called Quakers) out of which the said Trustees, or any Seven or more of them, shall choose and appoint Two Persons, and in Default of such Nomination the said Trustees, or any Seven or more of them, shall appoint Two Persons (not being Quakers, who are hereby excused and exempted from serving this Office) out of the Inhabitants of the said Parish,

Parish, to be Collectors or Receivers of the Rates or Sums of Money which shall become due or payable by virtue of this Act; and the said Parishioners, in Vestry assembled, are hereby authorized, empowered, and required, on Thursday in Easter Week, in every succeeding Year, during the Continuance of this Act, to nominate Four other like Inhabitants, and the said Trustees, or any Seven or more of them, shall choose and appoint Two of them, and in Default of such Nomination the said Trustees, or any Seven or more of them, shall appoint Two other like Inhabitants (except as aforesaid) to be Collectors or Receivers of the said Rates and Sums of Money for the Purposes of this Act; and all Persons, who by virtue of this Act are charged therewith, or liable thereto, are hereby required to pay the said Rates to such Collectors or Receivers accordingly (for which they shall give Receipts gratis;) and such Collectors or Receivers, for the time being, shall Once in every Three Months, or oftener, if required by the said Trustees, or any Five or more of them, give in a particular, true, and perfect, Account, in Writing under their respective Hands, of all Monies which they and every of them shall have respectively received, collected, or levied, by virtue of this Act, and of all Sums of Money rated and not paid, and all other Matters relating to the said Office; and also within Fourteen Days after the Four most usual Feasts or Days of Payment in the Year, pay all such Monies as shall be in their or any of their Hands to the said Trustees, or any Seven or more of them, or to such Person or Persons as they the said Trustees, or any Seven or more of them, shall, by any Writing or Writings under their Hands, authorize and appoint to receive the same; all which Monies shall be applied for the Purposes of this Act: And in case any Person or Persons, who shall be so chosen or appointed Collector or Collectors, Receiver or Receivers, of the said Rates, shall neglect or refuse to act in or execute such Duty or Office, every Person, so neglecting or refusing, shall forfeit the Sum of Ten Pounds to the Trustees appointed by this Act, to be levied, recovered, and applied, in such Manner as the Rates to be raised by virtue of this Act are directed to be levied, recovered, and applied; and that upon every such Neglect or Refusal of any Person or Persons so to act in such Office as aforesaid, it shall and may be lawful to and for the said Trustees, or any Seven or more of them, and they are hereby required to choose and appoint a Collector or Col-

Persons elected refusing to act, forfeit 10 *l.*

Trustees may elect Collectors, &c.

lectors, Receiver or Receivers, in the Place and Stead of such Person or Persons so neglecting or refusing to act as aforesaid; and every such new Collector or Receiver shall be subject or liable to the like Duties and Penalties, as the Person he succeeds was subject and liable to.

Collectors not making Account and Payment,

And be it further enacted, That in case such Collector or Collectors, Receiver or Receivers aforesaid, or any of them, shall neglect or refuse to make such Account or Payment as herein before directed, that then it shall and may be lawful to and for the said Justice or Justices of the Peace of and for the said City of London, at any Quarter Sessions, or any other Session or Meeting, upon Complaint thereof made to them, make Enquiry of and concerning such Neglect or Refusal, as well by Confession of the Parties, as by the Oath or Oaths of any credible Witness or Witnesses (which Oaths the said Justices are hereby impowered and required to administer;) and if any such Collector or Receiver shall be convicted of such Neglect or Refusal before such Justices of the Peace, that then the said Justices of the Peace shall,

may be committed.

upon such Conviction, commit the Person or Persons so offending to One of the Compters of the said City, there to remain without Bail or Mainprize, until he or they shall have made a true and perfect Account and Payment as aforesaid, or shall have compounded with the said Trustees, or any Seven or more of them, for the same; which Composition the said Trustees, or any Seven or more of them, are hereby impowered to make and receive.

4000 *l.* may be raised on Lives,

And forasmuch as borrowing Monies upon the Credit of this Act will be the most speedy and effectual Method to accomplish the pious Purposes aforesaid; Be it further enacted, That it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay into the Hands of the said Trustees, or any Seven or more of them, or such Person or Persons as they, or any Seven or more of them, shall, by any Writing under their Hands and Seals, authorize to receive the same for the Uses before-mentioned, any Sum or Sums of Money, not exceeding in the Whole the Sum of Four thousand Pounds, for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life of every Contributor, or the natural Life of any Person who shall be nominated by or on Behalf of such Contributor at the Time of Payment of their respective

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Contribution-monies; which Annuity or Annuities shall not exceed the Rate of Eight Pounds per Centum per Annum, and so in Proportion for any greater or lesser Sum to be advanced and paid as aforesaid: All which said Annuity or Annuities, so to be purchased as aforesaid, shall not exceed in the Whole the Sum of Three hundred and twenty Pounds, and shall be payable and paid by the said Trustees, or any Five or more of them, in the Vestry Room of the said Parish, or in such Place of the said Parish as they, or any Five or more of them, shall for that Purpose appoint, at or upon the Four most usual Feasts or Days of Payment in the Year, by even and equal Portions; the First Payment to begin and be made to the respective Purchasers and their Assigns, at or on such of the Feasts aforesaid as shall first happen next after Payment of the respective Monies.

at 8 *l. per Cent.*

Annuities not to exceed 320 *l. per Ann.* and to be paid by the Trustees.

And be it further enacted, That there shall be provided by the said Trustees, and kept in the Vestry Room of the said Church, or in such Place in the said Parish as they the said Trustees, or any Five or more of them, shall appoint, a Book or Books, in which shall be fairly written, in Words at length, the Names and Surnames, with the proper Additions and Places of Abode, of all such Persons who shall be Purchasers of any of the Annuities aforesaid, and of all Persons by whose Hands the said Purchasers shall pay in any Sum or Sums of Money upon the Credit of this Act; and also the Sum and Sums so paid for the Purchase of such Annuities, and the respective Days of Payment thereof; to which Book and Books it shall and may be lawful for the respective Purchasers and their Assigns, and to and for any Person or Persons, who shall be liable to pay any Assessment to be made by virtue of this Act, from time to time, and at all seasonable Times, to have Recourse and inspect the same without Fee or Reward.

Purchasers Names to be entered in a Book,

and the Sums paid by them, &c.

And be it further enacted, That all and every the Annuities, so to be purchased by virtue of this Act, shall be, and are hereby declared to be, charged upon the Rates or Duties herein after-mentioned, and shall be paid and payable, from time to time, out of the Monies arising by the same; and all and every the Contributor and Contributors, upon the Credit of this Act, or such Person or Persons as he or they shall appoint, and his and their respective Assigns, shall be intitled, by virtue of this Act, to have, receive, and enjoy, the respective Annuity or Annuities, so to be purchased as aforesaid, during the Term of the natural Life of the Person

Person to be nominated by each such Purchaser and Contributor as before-mentioned: And that all and every such Purchaser and Purchasers, and their Assigns respectively, shall have good, sure, absolute, and indefeasible Estates and Interests in the Annuities so by them respectively to be purchased, according to the Tenor and true Meaning of this Act; and that none of the said Annuities shall be subject or liable to the Taxes charged upon Lands by Authority of Parliament.

Contributors to be intitled to Annuities for Life,

Tax free.

Contributors to have Receipts,

And be it further enacted, That every Contributor upon this Act for the Purchase of any such Annuity or Annuities as aforesaid, his, her, or their Assigns, upon Payment of the Consideration or Purchase-money for the same, or any Part or Proportion thereof, into the Hands of the said Trustees, or any Seven or more of them, or to such Person or Persons as they, or any Seven or more of them, shall for that Purpose appoint, shall have One or more Receipt or Receipts, importing the Receipt of such Purchase-money as shall be so paid; and upon Payment of all the Purchase-money for any such Annuity or Annuities at the Rate aforesaid, every such Contributor, his, her, or their Assigns respectively, shall have an Order on Parchment or Vellum (which may be made without any Stamp thereon) for Payment of the said Annuity or Annuities, for and during the natural Life of such Person as shall be so nominated as aforesaid; which Order shall be signed by the said Trustees, or any Seven or more of them; and after signing thereof, the same shall, by virtue of this Act, be firm, good, valid, and effectual in Law, according to the Purport and true Meaning thereof, and of this Act.

and Orders for Payment.

Annuities may be assigned.

And be it further enacted, That it shall and may be lawful to and for the Purchaser or Purchasers of any such Annuity or Annuities as aforesaid, and his, her, or their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his, her, or their Hands and Seals (without any Stamp thereupon) to assign such Annuity or Annuities, or any Part thereof, or Interest therein, to any Person or Persons whomsoever, and so toties quoties; and a Memorandum or Entry of all such Assignments shall be made in a Book, which is hereby required to be kept for that Purpose in the Vestry Room belonging to the said Church; which Entry or Memorandum shall be made gratis; and such Book may, at all seasonable Times, be inspected by any Person or Persons interested therein.

Memorandum to be made thereof,

Provided

Provided always, That no Assignment shall be deemed good or effectual, until such Entry or Memorandum shall be made in such Book as aforesaid. otherwise ineffectual.

And be it further enacted, That the several Rates and Assessments directed by this Act to be collected, levied, and paid, shall be chargeable with and for the Payment of all and every such Annuity or Annuities, and all Arrears thereof, from time to time; and shall, upon Default of Payment of any such Annuity, or any Part thereof, within the Space of Forty Days next after any of the Times when the same shall be made payable, vest in the Annuitant or Annuitants, until the same shall be fully paid and satisfied, together with Interest, and the Costs and Charges occasioned by the Non-payment of the same; and that the said Annuitants, in case the said Annuities shall be in Arrear and unpaid by the Space of Forty Days as aforesaid, and until full Payment thereof, with Interest and Charges as aforesaid, shall have the same Power and Authorities of assessing, collecting, distraining, and levying the said Rates and Assessments, as are by this Act granted to the said Trustees, their Collectors or Receivers, or any of them. Annuitants Remedy for Arrears.

And be it further enacted, That the said Trustees appointed or to be elected by virtue of this Act, or any Seven or more of them, may and shall, by Writing under their Hands and Seals, and they are hereby required to make an Assessment on all Lands, Houses, Tenements, and Hereditaments, within the said Parish, not exceeding One Shilling and Six Pence in the Pound in any One Year, of the yearly Rent of such Lands, Houses, Tenements, and Hereditaments, as the same shall be ascertained and rated to the Land Tax for the time being; and order and direct the Collectors and Receivers so to be chosen and appointed as aforesaid for the time being, to collect Quarterly from the Owners and Occupiers of such Lands, Houses, Tenements, and Hereditaments, the several and respective Sums aforesaid, Two Third Parts of which Rates and Assessments shall be paid by the Landlords or Owners, and the other Third Part by the Tenants or Occupiers of such respective Lands, Houses, Tenements, and Hereditaments; and which said Tenants or Occupiers shall and may deduct and retain out of the Rents payable to the Landlords and Owners of the same Premisses, the said Two Thirds of such Rates or Assessments so to be made and collected as aforesaid; and the said Landlords mediate or immediate, according to their respective Interests, are hereby Trustees may make Assessments. Two Thirds to be paid by Owners, the other by the Occupiers.

required to allow to such Tenants such Deductions and Payments accordingly; and every Tenant paying such Rate or Assessment for or upon the Landlord's Account, shall be acquitted and discharged of and from so much Money as the same shall amount unto, as fully and effectually as if the same had been actually paid to any such Landlord or Landlords, or any Person or Persons to whom his or her Rent was or should have been paid or payable, and the Monies arising by such Rates or Assessments shall be accounted for, paid, and applied, in such Manner as by this Act is directed.

Owners of Houses let in Tenements, to pay Assessments.

And whereas several Houses within the said Parish are by their Landlords or Owners thereof lett out in Lodgings or Tenements to divers Tenants, whereby it may be difficult to rate or assess such Houses, and to recover such Rates and Assessments when made; For Remedy thereof be it enacted, That the said Trustees, or any Seven or more of them, shall and may rate and assess the Owner and Owners of all such Houses as shall be lett to or occupied by Two or more Tenants; which Rate or Assessment shall be paid by One or more of the Occupiers of any Part or Parts of such Houses: And in case any Occupier or Occupiers of any Part or Parts of such House or Houses, shall neglect or refuse to pay the same within the Time herein before limited, then the said Rate or Assessment shall be levied by Distress and Sale of the Goods of him, her, or them, so refusing to pay the same; which Distress and Sale shall be made in like Manner as the Distress and Sale of the Goods and Chattles of other Persons neglecting or refusing to pay the Rates or Assessments imposed and directed to be imposed by virtue of this Act, and directed to be made as aforesaid: And such Occupier or Occupiers of such Tenements are hereby required and authorized to pay such Sum and Sums of Money as shall be so rated, imposed, or assessed, on the Owners or Occupiers thereof, in pursuance of this Act, and to deduct the same out of the Rent thereof; and the Landlord or Landlords, Owner or Owners thereof, are hereby required to allow such Deductions and Payments upon Receipt of the Residue of his, her, or their Rents; and every Tenant paying such Assessment or Assessments shall be acquitted and discharged for so much Money as the said Assessment or Assessments shall amount unto, as if the same had been actually paid to the Person or Persons to whom his, her, or their Rent shall be due and payable.

And

And be it enacted, That if any Person or Persons shall be in Arrear for any of the said Rates or Assessments to the Collector or Collectors appointed for the Year in which such Rates or Assessments were made, the same shall be paid to the Collector or Collectors for the succeeding Year or Years; or in Neglect or Default thereof, such Collector or Collectors for the succeeding Year or Years may levy the same in such Manner as the Collector or Collectors for the Year or Years wherein the same were made might have done: And in case the Money so to be assessed and collected in any One Year shall not be sufficient to answer the Purposes for which the same was so rated and assessed, such Deficiency shall be supplied out of the next Rate or Assessment: And in case there shall remain, at the End of any One Year, any Surplus Money, collected and received by virtue of this Act in that Year, such Surplus shall from time to time, as the same shall happen to arise, be applied in Aid of the succeeding Year's Expences. Arrears how to be recovered.

And be it further enacted, That in case any of the Monies collected or received by virtue of this Act shall be lost by Insolvency or otherwise, the said Trustees, or any Seven or more of them, shall and may make a new additional Rate or Assessment, or Rates or Assessments, for supplying and making good such Deficiencies, and the Charges occasioned by or on account of the same, which shall be collected and levied in Manner aforesaid; any thing herein contained to the contrary notwithstanding. Losses how to be made good.

Provided always, and be it further enacted, That if any Person or Persons shall find himself, herself, or themselves aggrieved by any Rate or Assessment to be made by virtue of this Act, it shall and may be lawful for such Person or Persons to apply to the Justices of the Peace at the next General or Quarter Sessions to be holden for the City of London; who are hereby impowered to summon and examine Witnesses upon Oath, and to hear and determine the Matter of the said Appeal; and their Determination thereupon shall be conclusive to all Parties. Persons aggrieved may appeal to the Quarter Sessions.

Provided always, and be it further enacted, That nothing herein contained shall extend to charge or subject any Person to pay any of the Rates or Assessments to be made by virtue of this Act, for any House or other Building which shall be empty and unoccupied, during the Time such House or Building shall be so empty and unoccupied; any thing herein contained to the contrary notwithstanding. Empty Houses not liable.

And

Trustees may impower Persons to inspect Land Tax Books.

And be it further enacted, That it shall and may be lawful to and for such Person or Persons as the said Trustees, or any Five or more of them, shall appoint, at all convenient Times, to inspect the Books of Assessment of the Land Tax for the said Parish gratis, in order to ascertain the Rates to be levied by virtue of this Act, and to take Copies thereof, paying for the same after the Rate of Six Pence for every Two hundred Words.

Rates to take Place from 25 *March*, 1765;

and to abate as the Annuities determine.

And be it further enacted, That the several Rates or Assessments hereby directed and appointed to be raised and levied for the Purposes aforesaid, shall take Place from the Twenty fifth Day of March, One thousand seven hundred and sixty five, for and during such Time only as there shall be Occasion or Necessity to raise the same, and no longer, and not otherwise; and from and after the Determination of any of the said Annuities, a proportionable Part, as near as may be, of such Rates or Assessments shall cease and determine; and from and after the Determination of all the said Annuities, the said Rates and Assessments shall absolutely cease and determine.

Trustees may use the old Materials in rebuilding:

May erect a Tabernacle,

and take down the same.

And be it further enacted, That the said Trustees, or any Seven or more of them, may cause the Materials of the present Church and Rector's House, to be used in the rebuilding the said intended new Church and Rector's House, or either of them, or may sell the same, and shall apply the Money arising thereby in such Manner as the Money to be raised by virtue of this Act is directed to be applied; and may also erect a Tabernacle, or provide a convenient and decent Place for the same, and for the Worship of God therein during the Building of the said intended Church: And when the said intended Church shall be built, and finished, shall and may take down the said Tabernacle, if erected, and sell and dispose of the Materials thereof, and apply the Money arising thereby for the Purposes of this Act; and that such Tabernacle, or Place so to be erected or provided, shall in the mean Time, and until such Church shall be rebuilt, and Divine Service performed therein, be deemed and reputed to be a publick Church.

Contracts, &c. to be entered in Books.

And be it further enacted, That the said Trustees shall take Care to have all Receipts, Payments, Debts, Credits, and Contracts, made with or by the Artificers and Workmen employed, or to be employed, in or about the pulling down the present Church, Rector's House, and Premisses intended to be purchased, and building the said

ſaid intended Church and Steeple, and Rector's Houſe, and enlarging the ſaid Church-yard, or any other Matter or Thing relating thereto, and all other their Proceedings, to be fairly entered in a Book or Books to be kept for that Purpoſe; and by or out of the Money to be raiſed by virtue of this Act, ſhall pay and ſatisfy, or cauſe to be paid and ſatisfied, unto the Artificers and Workmen, ſo to be employed in and about the ſeveral Matters and Things aforeſaid, all Sums of Money as ſhall be juſtly due to them, or any of them, for the ſame.

Books may be inſpected.

And be it further enacted, and it is hereby declared, That all Books of Accounts concerning ſuch Receipts, Payments, Credits, and Contracts, ſhall, from time to time, and at all convenient Times, be open to the Inſpection and Peruſal of any Perſon or Perſons who ſhall pay any Rate or Aſſeſſment by virtue of this Act.

Truſtees may take away Grave Stones,

And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, for the Purpoſes herein mentioned, to take, or cauſe to be taken away, any Grave-ſtones, Monuments, or Vaults, the Property of any Perſon or Perſons, in the ſaid Church or Church-yard.

and replace the ſame.

Provided always, That ſuch Grave-ſtones or Monuments ſhall be replaced, and other Vaults provided in the ſaid intended Church or Church-yard; which ſaid reſpective Grave-ſtones, Monuments, or Vaults, ſhall belong to and be veſted in the ſeveral Perſons, whoſe Property the ſaid Grave-ſtones, Monuments, and Vaults, were before the paſſing of this Act.

Right of the Rector reſerved.

And be it further enacted, That the preſent Rector of the ſaid Pariſh, and his Succeſſors for ever, ſhall and may enjoy the ſame Proportion of Burial Ground, or Vault, in or under the new-intended Church and Church-yard, as the preſent Rectors, or any former Rector or Rectors hath or have enjoyed in the preſent Church or Vaults; and alſo all ſuch Rights in the Chancel of the ſaid intended Church, as he is intitled to in the Chancel of the preſent Church.

Rector to repair the Parſonage Houſe.

Provided always, and it is hereby declared, That this Act, or any thing herein contained, ſhall not extend, or be conſtrued, adjudged, deemed, or taken to extend, to oblige the preſent or any future Inhabitants of the ſaid Pariſh of Alhallows on London Wall to repair the Rector's Houſe intended to be built as aforeſaid, after the ſame ſhall be rebuilt; but the preſent Rector and his Succeſſors ſhall, from time to time, and at all Times hereafter,

hereafter, at his and their own proper Costs and Charges, repair the same, when and as often as Need or Occasion shall be and require.

Limitation of Actions.

And be it further enacted, That if any Suit or Action shall be commenced or prosecuted against any Person or Persons, for any thing done or to be done in pursuance of this Act, every such Suit or Action shall be commenced within Six Months next after the Fact committed, and not afterwards, and shall be brought and tried in the City of London, and not elsewhere; and the De-

General Issue.

fendant or Defendants therein may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance of and by the Authority of this Act: And if it shall appear so to be done, that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become Nonsuit, or discontinue his, her, or their Action, after the Defendant or Defendants shall have appeared; or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant

Treble Costs.

or Defendants shall or may recover Treble Costs; and have the like Remedy for the same, as any Defendant or Defendants hath or have for Costs, in any other Causes by Law.

Publick Act.

And be it further enacted and declared, That this Act shall be deemed and taken to be a Publick Act; and all Judges, Justices, and other Persons, are to take Notice thereof as such, in all Courts and Places whatsoever, without specially pleading the same. 2

FINIS.