



ANNO VICESIMO NONO & TRICESIMO

VICTORIÆ REGINÆ.

Cap. 11.

An Act to authorize the Wardens and Commonalty of the Mystery of Grocers of the City of *London*, as Trustees under the Will of Dame *Margaret Slaney* deceased, to consent to the Union of the Benefices of *Allhallows Staining* and *Saint Catherine Coleman* in the City of *London*, and for enabling the Trustees to carry into more complete Effect the Trusts of the Will. [10th *August* 1866.]

WHEREAS Dame *Margaret Slaney*, formerly the Wife of Sir *Stephen Slaney* Knight, and Alderman of the City of *London*, by her Will dated the 20th Day of *October* 1612, gave to the Company of Grocers in *London*, or such other Company there as her Executors should think fit, the Sum of 2,000*l.*, to be paid to them within Six Months after her Death, upon trust and to the Intent that it might remain as a perpetual Stock for the purchasing, restoring, and re-uniting again to the Church of some impropriated Benefices and Parsonages, in manner therein expressed, (that is to

Will of Dame *Margaret Slaney*, dated 20th Oct. 1612.

[*Private.*]

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say,)

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say,) that as soon as they conveniently might after the Receipt of the said Sum they should purchase therewith, or with the greater Part thereof, the Inheritance of some appropriated Benefice or Parsonage, and having purchased the same should thenceforth bestow yearly some competent Portion of the Profits and Revenues of the said Benefice for the Maintenance of a learned Preacher in the said Parish, and should retain the Estate of the said Benefice in their own Hands, with the Residue of the said Profits and Revenues arising therefrom, until they should have gathered so much as would make up again the said Sum of 2,000*l.*, and then, by Advice of learned Counsel, should disappropriate the said Benefice Improprate, so as the same, with the full Profits thereof, should from thenceforth for ever be and remain to some Ecclesiastical Person and his Successors, to be from thenceforth Parson or Rector of the said Benefice or Parsonage, in such Sort as other Ecclesiastical Livings not impropriate remained; and she thereby declared that the Company into whose Hands the said 2,000*l.* should be delivered should so continue for ever the same Course of employing the same in purchasing appropriated Benefices, and maintaining learned Preachers in the same Parishes, and in restoring and re-uniting again unto the Church the said appropriated Benefices by disappropriating the same as aforesaid; and that the Company might benefit themselves by the said Money, she declared that they should allow for so much thereof as should from Time to Time remain in their Hands after such Rate as should be agreed upon between them and her Executors towards Increase of the said Stock, and that the Patronage of such Benefices as should be so re-united or disappropriated should belong to the said Company, and that the said Benefices so disappropriated should be donative, and not presentative, and that they should for ever be discharged from the Payment of First Fruits and Tenths, and from all Fees whatsoever due or claimed by the Archdeacon, Bishop of the Diocese, or Archbishop of the Province; she also (amongst other things) directed that the said Company should annually deliver to the Governors of *Christ's Hospital* a Statement of the Employment of the said Stock, and of all Receipts and Payments concerning the same; and the Testatrix appointed her Two Daughters, Dame *Mary Weild* and Dame *Elizabeth Leonard* Executrixes of her said Will:

Indenture
declaring
Trusts of
2,000*l.* paid
pursuant to
the Will.

And whereas by an Indenture dated in the 17th Year of the Reign of King *James* First, and made between the said Executrixes of the First Part, the Governors of *Christ's Hospital* of the Second Part, and the Wardens and Commonalty of the Mystery of Grocers of the City of *London* (herein-after called the Grocers Company) of the Third Part, it was declared that the said Executrixes had paid the Sum of 2,000*l.* to the Grocers Company upon the Trusts before mentioned, and the Grocers Company covenanted to lay out and dispose of the same agreeable to the Will of the Testatrix, and to deliver yearly

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yearly a just and true Account to the Governors of *Christ's Hospital* of their Employment as well as Application thereof, and that the Grocers Company should allow *5l. per Cent.* for all Sums from Time to Time in their Hands, and should also allow to the Governors of *Christ's Hospital* *6s. 8d. per Cent. per Annum* for every such Sum of Money, to be bestowed on the Poor of the said Hospital, and that in case, after the Purchase of an Improprate Rectory or Parsonage, and the Restoration of the Stock of 2,000*l.*, as directed in the said Will, the Laws of the Realm should not permit that the Church should be presentative or donative, as therein mentioned, then that the Grocers Company should allow to a godly and learned resident Minister who should labour faithfully in his Calling and preach there twice every Sabbath all the Profits of the same Rectory or Parsonage :

And whereas out of the Fund thus established the Grocers Company purchased, prior to the Year 1688, the Improprate Benefice of *Allhallows Steyning* otherwise *Staining* (herein-after called *Allhallows Staining*) in the City of *London* :

And whereas in *Trinity* Term 1759 an Information was filed in the High Court of Chancery by His Majesty's then Attorney General, at the Relation of the then Incumbent of the Church of *Allhallows Staining*, for the Purpose of obtaining the Direction of the said Court for rebuilding the Parsonage House of his said Living, and paying the Expense thereof out of the said Fund, and, after a Reference to One of the Masters of the Court, and his Report and Opinion as to what was proper to be done, the Lord Chancellor, assisted by the Master of the Rolls, on the 4th Day of *December* 1761 ordered that a Sum not exceeding 700*l.* should be laid out in rebuilding the said Parsonage House : And whereas, in obedience to the said Decree, the Grocers Company rebuilt the Parsonage House of the Living of *Allhallows Staining* (since commonly called the Curate's House) there : And whereas no Disappropriation has been effected of the Benefice of *Allhallows Staining*, or of the Improprate Tithes or Endowments thereof, but the Grocers Company have from Time to Time appointed the Ministers or Perpetual Curates of the Parish upon every Avoidance of the Incumbency of that Office since their stated Purchase of the Benefice, and have granted all the Endowments of the Benefice to such Ministers or Perpetual Curates for the Terms of their respective Incumbencies :

And whereas in the Year 1851 the Grocers Company, in pursuance of the said Trust, appointed the Reverend *Francis John Stainforth* to the Perpetual Curacy of *Allhallows Staining*, and he is the present Incumbent thereof, and in order to carry into effect, as nearly as practicable, the Trusts of the said Will, the Grocers Company, by a Deed or Instrument in Writing under their Common Seal, dated the 17th Day of *December* 1851, granted to him, as such Incumbent, the Rectory or Curate's Place or Curacy of the Church of *Allhallows Staining*,

Purchases made by Grocers Company out of the Trust Fund.

Order of Court for rebuilding Parsonage House of Allhallows Staining.

Rebuilding of the Parsonage House.

Appointment of present Incumbent of Allhallows Staining, and Grant to him of the Tithes of the Parish during his Incumbency.

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Staining, and the Great and Small Tithes, and the Messuage called the Curate's House, to hold the same as long as he should be resident Curate on the said Living, and observe and perform the Terms, Restrictions, and true Meaning of the said Will of the said Dame *Margaret Slaney*: And whereas the Tithes of the Parish of *Allhallows Staining* have been commuted, under the Provisions of "The *London (City) Tithes Act, 1864*," into annual fixed Tithes, or Sums of Money in lieu of Tithes, amounting to the annual Sum of 1,600*l.*, subject to periodical Revision as provided by the Act:

Contem-
plated
Scheme
under 23 & 24
Vict. c. 142.
for uniting
Benefices of
*Allhallows
Staining* and
*Saint Catherine
Coleman*.

And whereas the Bishop of *London*, as Patron of the Benefice of *Saint Catherine Coleman* in the City of *London* in right of his See, and the Grocers Company, as Patrons of the Benefice of *Allhallows Staining*, have agreed that it may be advantageous to unite the said Benefices, under the Provisions of the Act of Parliament of the 23rd and 24th Years of the Reign of Her present Majesty, Cap. 142, commonly called the Union of Benefices Act:

And whereas it is desirable that the Grocers Company, as the Patrons of the Benefice of *Allhallows Staining*, should be empowered, in the event of any Scheme being agreed to for the Union of the Benefices of *Allhallows Staining* and *Saint Catherine Coleman*, to consent to the same, and also to any Provisions in such Scheme for vesting the sole Patronage of the united Benefice in the Bishop of *London* for the Time being, and for the Sale by the Ecclesiastical Commissioners of the Site and Materials of the Church of *Allhallows Staining*, and for the Sale of the Curate's House, and that the Proceeds of such Sales should constitute a Fund for building Churches and also (if sufficient for the Purpose) Parsonages in the Localities and in the Manner herein-after specified, and that the sole Patronage of such new Churches should be vested in the Grocers Company, as Trustees of Dame *Margaret Slaney's* Will, in lieu of the Patronage of the Benefice of *Allhallows Staining*, and that the new Churches to be so built should be endowed in the Manner herein-after provided out of the Endowments of the present Benefice of *Allhallows Staining*; but by reason of the Directions contained in the Will the beneficial Objects aforesaid cannot be effected without the Aid and Authority of Parliament: Therefore Your Majesty's dutiful and loyal Subjects the Grocers Company do most humbly beseech 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:

Short Title.

1. This Act may be cited for all Purposes as "*Lady Slaney's (Trust) Estate Act.*"

2. In

Lady Slaney's (Trust) Estate Act, 1866.

2. In this Act the Expression "the Bishop" shall mean the Lord Bishop of *London* for the Time being; the Expression "the Commissioners" shall mean the Ecclesiastical Commissioners for *England*; the Expression "the Tithes of *Allhallows*" shall mean the annual fixed Tithes or Sums of Money in lieu of Tithes into which the Tithes of the Parish of *Allhallows Staining* have been commuted; the Expression "the Union of Benefices Act" shall mean the Act of the 23rd and 24th Years of the Reign of Her present Majesty, C. 142; the Expression "the Will" shall mean the herein-before recited Will of Dame *Margaret Slaney* deceased.

Interpreta-
tion of
Terms.

3. Notwithstanding the Trusts and Directions contained in the Will and in the Indenture of the 20th Day of *December* 1620 respectively, the Grocers Company, as the legal Impropiators and Patrons of the Benefice of *Allhallows Staining*, may consent to any Scheme which may be prepared by the Commissioners for the Union of the Benefices of *Allhallows Staining* and *Saint Catherine Coleman* in the City of *London*, and assented to by the Vestries of the said Parishes, under the Provisions of the Union of Benefices Act, and for vesting (upon the Union taking effect) the sole Right of Patronage of the united Benefice in the Bishop in right of his See, as Patron of the Benefice of *St. Catherine Coleman*, and for the Sale of the Site and Materials of the Church of *Allhallows Staining*, and for the Sale of the Messuage called the Curate's House, now used as a Residence for the Incumbent for the Time being of the Benefice of *Allhallows Staining*, and the Ground belonging to such House, and for appropriating a sufficient Part of the Monies arising from such Sale in repairing the Church of *Saint Catherine Coleman*, and reseating the same, in accordance with the Provisions of the 27th and 28th Sections of "The Union of Benefices Act," and putting the said Church into a fit and proper Condition to become the Church of the United Benefices, and for any Objects of this Act which may be effected by such Scheme; and the Consent of the Grocers Company to the Scheme shall be as valid and effectual as the same would have been in case they had been Impropiators and Patrons of the Benefice of *Allhallows Staining* in their own Right discharged from any Trusts.

Trustees
of Lady
Slaney's
Will em-
powered to
consent to
contem-
plated
Scheme for
Union of
the Benefices
herein
named.

4. The Proceeds of the Sale of the Site of the Church and Curate's House, and of the Materials of the Church and House, shall not be dealt with under the 22nd Section of the Union of Benefices Act, but the same (after deducting the Expenses incurred in relation to the Scheme and Sales) shall, together with all Accumulations made by means of the Interest thereof, be appropriated and applied by the Commissioners for the Purposes and in the Manner herein-after directed; and the Company shall do all Acts required on their Part

The Pro-
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Sale of Sites
of the Church
of Allhal-
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be applied as
directed by
this Act.

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for confirming any such Sales, and vesting such Purchase Monies in the said Commissioners.

Such Proceeds to be augmented by Accumulation of a Proportion of the Payments in lieu of the Tithes of Allhallows Staining, and the whole to constitute "the Special Fund."

5. The Tithes of *Allhallows* arising after the Union of the Benefices of *Allhallows Staining* and *Saint Catherine Coleman* shall be received by the Grocers Company, and the same, or so much thereof as shall not for the Time being be required for Endowments or for any other Purposes of this Act, shall be accumulated by them by way of Compound Interest, by Investments upon any of the Securities upon which Trustees are or shall be by any existing or future Acts of Parliament authorized to invest Trust Monies, and they shall, when required by the Commissioners, pay over to them the Tithes so received, and all the Accumulations so made; the Monies so paid to the Commissioners shall be applied by them in augmentation of the Proceeds of the Sale of the Site of the Church of *Allhallows Staining* and of the Curate's House, and of the Materials of the Church and House, which Proceeds (including the Augmentation to be so made) are herein-after called "the Special Fund."

Providing for the Application of "the Special Fund."

6. The Special Fund (except where otherwise directed by this Act) shall be applied in the Erection of Three Churches in new Districts now respectively formed or hereafter to be formed in the Diocese of *London*, and to be selected for the Purpose by the Grocers Company, and approved by the Bishop, no such new District being situate (wholly or in part) at a greater Distance than Six Miles (measured in a straight Line) from the Cathedral Church of *St. Paul* in the City of *London*, or of so many of such Churches as the Fund shall be sufficient to construct.

Tithes of Allhallows to constitute an Endowment for the new Churches.

7. The Tithes of *Allhallows* shall not belong to the united Benefice or to the Incumbent, but shall continue vested in and payable to the Grocers Company, and be applied by them as herein-after directed for an Endowment for the said new Churches.

Amount of Endowments to be determined by the Bishop and Grocers Company.

8. The Bishop and the Grocers Company, or in case of their Difference then the Commissioners, shall determine what Proportion of the Tithes of *Allhallows* shall be paid by the Grocers Company to the Incumbent for the Time being of each of the Three new Churches, and the Proportion so determined in respect of each new Church shall, upon and after the Consecration of such new Church, become the Endowment thereof, and shall be paid and applied by the Grocers Company accordingly; and for the Purposes of this Act the Tithes of *Allhallows*, as well before as after the same or any Part thereof shall have been appropriated as an Endowment for the new Churches, shall be apportionable (by the Grocers Company, when received by them,) in the same Manner as if the same Tithes had been Payments accruing due *de die in diem*.

9. After

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9. After the Consecration of the First new Church, so much of the Tithes of *Allhallows* as shall not be required for the Endowment of such new Church shall be retained by the Grocers Company, and invested and accumulated by them by way of Compound Interest in the Manner herein-before mentioned, until the same, with the Accumulations, shall be transferred to the Commissioners, upon their Requisition, for the Purposes aforesaid.

Providing a Fund for Erection of a Second new Church, if Special Fund insufficient for Erection of more than One new Church.

10. After the Consecration of Two of the Three new Churches, so much of the Tithes of *Allhallows* as shall not be required for the Endowment of the First Two new Churches shall be retained by the Grocers Company, and invested and accumulated by them by way of Compound Interest in the Manner herein-before mentioned, until the same, with the Accumulations, shall be in like Manner transferred to the Commissioners, upon their Requisition, for the Purposes aforesaid.

Providing a Fund for Erection of a Third new Church, if Special Fund insufficient for Erection of more than Two new Churches.

11. If the Bishop, with the Consent of the Grocers Company, shall determine that the Tithes of *Allhallows* are more than sufficient for the Endowment of the Three new Churches to be built with the Special Fund, then the same, or so much thereof as shall not be so required, shall be applied by the Grocers Company in such and the same Manner and for the like Purposes as the Sum of 2,000*l.*, given by the Will of the said Dame *Margaret Slaney*: Any new Benefice (the Church of which shall have been erected by means of the Special Fund) shall upon the Consecration of such Church become a Rectory and the Incumbent the Rector thereof.

Providing for Application of Surplus of Tithes of *Allhallows*, if Tithes are more than sufficient for Endowment of Three new Churches.

12. The Font, Communion Table, and Plate used for the Purposes of the Holy Communion, and the Stained Glass Windows, respectively belonging to the Church of *Allhallows Staining*, shall be transferred to such One of the Three new Churches as the Bishop shall select.

As to Removal of Font, &c. of Church of *Allhallows Staining*.

13. The sole Patronage of the new Benefice or Benefices, the Church or Churches belonging to which shall have been built by means of the Special Fund, shall belong to and be vested in the Grocers Company as Trustees of the Will, in lieu of and by way of Substitution for the Patronage of the Perpetual Curacy of *Allhallows Staining*, and shall be accepted by and vested in them, whether the new Benefice or Benefices shall be presentative or donative.

The sole Patronage of new Church or Churches to vest in Grocers Company in lieu of Patronage of *Allhallows Staining*.

14. All the Costs, Charges, and Expenses of and incident to the applying for and obtaining and passing of this Act and preparatory thereto shall be paid by the Grocers Company out of the Monies for the Time being in their Hands, subject to the Trusts of the Will of the

Expenses of Act.

the

Lady Slaney's (Trust) Estate Act, 1866.

the said Dame *Margaret Slaney*; and all Costs which shall be incurred by them in the Execution of the Trusts or Duties reposed in them by this Act may be retained by them out of the Funds in their Hands subject to such Trusts.

General
Saving.

15. Saving always to the Queen's most Excellent Majesty, and to the Incumbent of *Allhallows Staining*, and all and every other Person or Persons, Bodies Politic or Corporate, her, his, and their Heirs, Successors, Executors, and Administrators, (other than and except the Grocers Company and their Successors, and all other Persons claiming under the Will of the said Dame *Margaret Slaney* deceased,) all such Estate, Right, Title, Interest, Benefit, Claim, or Demand whatsoever, in, to, out of, or upon the said Benefice of *Allhallows Staining*, and the Endowments thereof, as they or any of them had before the passing of this Act, or could or might have held and enjoyed in case this Act had not been passed; and saving to the Vestries of the Parishes of *Allhallows Staining* and *Saint Catherine Coleman* their Rights under the Provisions of the Union of Benefices Act of assenting to or dissenting from any Scheme that may be prepared by the Commissioners.

Act as
printed by
Queen's
Printers to
be Evidence.

16. This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others.

LONDON:

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Printers to the Queen's most Excellent Majesty. 1866.