



CHAPTER xxxi.

An Act for extinguishing tithes and tithe rates and other payments by way or in lieu of tithes in the city of London and for other purposes. [31st July 1947.]

**W**HEREAS the city of London (hereinafter called "the city") is divided for divers purposes among the parishes mentioned in the First Schedule to this Act (hereinafter called "the scheduled parishes") and those purposes were excepted from among the purposes for which under the City of London (Union of Parishes) Act 1907 the parishes and places specified in the schedule to that Act were by that Act united to form one parish called "the parish of the city of London": 7 Edw. 7.  
c. cxl.

And whereas in most of the scheduled parishes there are payable sums such as are comprehended under the expression "tithes" as defined in this Act and the same are in most cases payable for the maintenance and benefit of the incumbents of parish churches but in certain cases are payable for other church purposes or to lay impropriators:

And whereas many Acts of Parliament have been passed authorising regulating and providing for the levy and collection of or otherwise relating to the tithes of which Acts so far as they are known or can be ascertained a list is set forth in the Second Schedule to this Act:

And whereas by the London (City) Tithes (St. Botolph Without Aldgate) Act 1881 as amended and extended by the Saint Botolph Without Aldgate Tithe Rate Act 1888 provision was made for the extinguishment of all tithes and sums of money in lieu of tithes arising or growing due in the parish of Saint Botolph Without Aldgate in consideration of the payment to the tithe owner of an annual sum of money to be levied by rates to be called tithe rates on the persons rateable 44 & 45 Vict.  
c. cxcvii.  
51 & 52 Vict.  
c. lxi.

to the poor rate in respect of buildings in the said parish so rateable (subject to certain exceptions) and to be assessed on the annual rateable value of such buildings for poor rate and provision was also made for enabling owners or occupiers of buildings assessed to the said tithe rates to redeem the same:

10 Edw. 7. &  
1 Geo. 5.  
c. xxx.

And whereas by the City of London (Tithes and Rates) Act 1910 provision was made for the purchase by the mayor and commonalty and citizens of the city from the then tithe owner of the annual sum payable under the said Act of 1881 as amended and extended by the said Act of 1888 and for the borrowing by the said mayor and commonalty and citizens of the money requisite for that purpose and for vesting in the mayor aldermen and commons of the city in common council assembled the right to levy (as an addition to the general rate) the tithe rates under the said Acts of 1881 and 1888 so far as was necessary to provide the interest and repayment instalments in respect of the money so borrowed and the other expenses of executing the said Act of 1910:

And whereas the tithes formerly payable and leviable in certain other scheduled parishes or in respect of particular hereditaments therein have been redeemed and are no longer payable:

And whereas the amounts of the tithes payable in relation to the scheduled parishes respectively and the basis on which they are assessed and levied upon the hereditaments in those parishes and the method and cost of their collection have in the past differed widely in regard to different parishes and such differences have given rise to difficulties and discontents:

And whereas by reason of the destruction of property in the city during the recent war the disparity of conditions between different parishes and the difficulty of collecting the tithes and the extent of the burden falling upon many persons and hereditaments in respect of the tithes have greatly increased and it is anticipated that in regard to the work of replanning and reconstruction in the city consequent upon the war the existence of the tithes and the arrangements for levying and collecting the same will give rise to further difficulties and complications:

And whereas in the case of the parish of Saint Lawrence Pountney the tithes form part of the City Church Fund comprised in the London Parochial Charities (administered under a scheme of the Charity Commissioners ratified by an Order in Council dated the twenty-third day of February one thousand eight hundred and ninety-one) and are vested in the trustees of the London Parochial Charities:

And whereas it is expedient in the circumstances hereinbefore set forth that the tithes throughout the city should be

extinguished and that the arrangements for that purpose embodied in this Act should be sanctioned and the provisions with respect thereto in this Act contained should be enacted:

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

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 as follows (that is to say):—

1. This Act may be cited as the *City of London (Tithes) Act 1947.* Short title.

2. In this Act unless there be something in the subject or context repugnant to such construction— Interpretation.

“ The city ” means the city of London;

“ The Corporation ” means the mayor and commonalty and citizens of the city acting by the mayor aldermen and commons of the city in common council assembled;

“ The common council ” means the mayor aldermen and commons of the city in common council assembled;

“ The scheduled parishes ” means the parishes mentioned in the First Schedule to this Act and in the case of any such parish situate partly within and partly without the city includes only such part thereof as is situate within the city;

“ Tithes ” means tithes and tithe rates tithe rentcharges church rates stipend rates and payments by way or in lieu of tithes but does not include fixed periodic payments as hereinafter defined;

“ Fixed periodic payments ” means any sums payable by way or in lieu of tithe as the whole or part of any fixed periodic payments payable by the Postmaster-General the Bank of England the Corporation or the Mercers Company in the parishes numbered 15 19 32 33 49 55 57 81 86 101 and 109 in the First Schedule to this Act;

“ The appointed day ” means the first day of October one thousand nine hundred and forty-seven;

“ The tithe stock ” and “ the commission stock ” have the meanings given to them respectively in section 4 (Compensation arrangements) of this Act;

“ The general rate ” means the general rate of the city;

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32 & 33 Vict.  
c. 67.

“ Hereditament ” has the same meaning as in the Valuation (Metropolis) Act 1869.

Extin-  
guishment  
of tithes.

3. Subject to the provisions of this Act all tithes payable immediately before the appointed day in any of the scheduled parishes other than the parish of Saint Botolph Without Aldgate shall as from the appointed day by virtue of this Act be extinguished and cease to be payable or leviable.

Compensa-  
tion  
arrange-  
ments.

4. By way of compensation for the extinguishment of tithes under this Act the following arrangements shall have effect:—

7 & 8 Geo. 6.  
c. iv.

(1) The Corporation shall on or before the appointed day by resolution create redeemable stock (in this Act called “ the tithe stock ”) to the amount of one million pounds and such stock subject to the provisions of this Act shall be created issued dealt with and redeemed in accordance with the regulations set forth in the schedule to the City of London (Various Powers) Act 1944:

(2) The tithe stock shall carry interest at the rate of three per centum per annum payable half-yearly and shall be redeemed at par at the expiration of sixty years from the appointed day if and so far as it is not sooner purchased and extinguished by agreement between the Corporation and the holder:

(3) The tithe stock shall on the appointed day be issued as regards an amount of seven thousand four hundred and three pounds two shillings and sixpence part thereof to the trustees of the London Parochial Charities to be held in the name of the Official Trustees of Charitable Funds for the account of the trustees of the London Parochial Charities free of any payment by them and as regards the balance thereof (in this Act called “ the commission stock ”) to the Ecclesiastical Commissioners free of any payment by them and when so issued the tithe stock shall be deemed to be a loan secured on the general rate:

(4) The tithe stock to be issued as aforesaid to the trustees of the London Parochial Charities shall be held by them in trust to apply the net income arising therefrom to the same purposes as those for which the tithes in respect of the parish of Saint Lawrence Pountney were immediately before the appointed day applicable as part of the City Church Fund in pursuance of the scheme of the Charity Commissioners referred to in the preamble to this Act:

(5) In consideration of the issue of the commission stock there shall as from the appointed day be imposed upon the Ecclesiastical Commissioners the following obligations:—

(a) To hold an amount of fifty-three thousand three hundred and thirty-three pounds six shillings and eightpence of the commission stock in two equal moieties in trust for the purposes set out respectively in section 10 (As to parish of Saint Botolph Without Bishopsgate) and section 11 (As to parish of Saint Giles Cripplegate) of this Act;

(b) With respect to any incumbents who are immediately before the appointed day entitled to receive out of or from the tithes to be extinguished by this Act or out of or from such tithes and any fixed periodic payments payable in any of the scheduled parishes (other than the parishes of Saint Botolph Without Aldgate and Saint Lawrence Pountney) any annual sums either direct or as a charge on the tithes or on the tithes and fixed periodic payments an obligation to pay to the said incumbents during their continued holding of the incumbencies held by them respectively immediately before the appointed day (unless and except as otherwise agreed between them respectively and the Ecclesiastical Commissioners) annual sums equal to those which they were entitled in manner aforesaid to receive immediately before the appointed day:

Provided that the said annual sums shall be reduced by such sums (if any) as the said incumbents were themselves under obligation immediately before the appointed day to pay thereout to other persons and also by any fixed periodic payments which any such incumbent will continue to be entitled to receive after the appointed day;

(c) With respect to any lay impropiators (other than the Ecclesiastical Commissioners and the trustees of the London Parochial Charities) who immediately before the appointed day are entitled for themselves their successors and assigns to receive any annual sums out of or from the tithes to be extinguished by this Act or out of or from such tithes and any fixed periodic payments payable in any of the scheduled parishes (other than the parishes of Saint Botolph Without Aldgate and Saint Lawrence Pountney) an obligation (unless and except as otherwise agreed) to pay to such lay

impropriators their successors and assigns in perpetuity annual sums equal to those which they were entitled in manner aforesaid to receive immediately before the appointed day (subject to deduction of such sums (if any) as they were then themselves under obligation to pay thereout to any other persons and also of any fixed periodic payments which any lay impropriators will continue to be entitled to receive after the appointed day):

- (6) Subject to the discharge of the obligations imposed upon them by paragraph (5) of this section the Ecclesiastical Commissioners shall be entitled—

(a) to hold for the benefit of their common fund such part of the commission stock or any reinvestment thereof or of any part thereof as they after consultation with the Bishop of London may determine for the purpose of compensating them for the extinguishment of the tithes which immediately before the appointed day they are entitled to receive as lay impropriators; and

(b) to apply the residue of the commission stock or any part or any reinvestment thereof or of any part thereof or any interest arising therefrom in making from time to time such provision as they after consultation with the Bishop of London may determine for the cure of souls in and the spiritual welfare of the city or any part thereof and subject thereto as part of the Diocesan Stipends Fund of the diocese of London:

Provided that no such provision shall be made in such manner as to contravene any reorganisation scheme prepared and confirmed under the Reorganisation Areas Measure 1944:

- (7) The Ecclesiastical Commissioners shall have the same powers of dealing with that part of the commission stock which they hold for the benefit of their common fund as they have with regard to other securities held for that purpose and shall be entitled at any time to sell the residue of the commission stock or any part thereof and to reinvest the proceeds of sale in securities in which trustees are for the time being entitled by Act of Parliament to invest trust funds in their hands or to apply such proceeds or any part thereof in the discharge of any obligations imposed upon them by paragraph (5) of this section:

- (8) The trustees of the London Parochial Charities shall have the same powers of dealing with that part of the tithe stock issued to them under this Act as they have with regard to other securities held by them and shall be entitled at any time to sell such stock or any part thereof and to re-invest the proceeds of sale in securities in which trustees are for the time being entitled by Act of Parliament to invest trust funds in their hands:
- (9) If at any time within three years from the appointed day any person gives notice in writing to the Ecclesiastical Commissioners claiming that by virtue of the provisions of paragraph (5) of this section he is entitled to receive from them any such payment as is provided for under sub-paragraph (b) or sub-paragraph (c) of that paragraph then if within a period of three months after receiving such notice the Ecclesiastical Commissioners reject such claim or do not agree with such person to admit the same such person may appeal to the Mayor's and City of London Court against such rejection. Save as provided in this paragraph a decision by the Ecclesiastical Commissioners as to the persons entitled to receive any such payment as is provided for under the said sub-paragraph (b) or the said sub-paragraph (c) shall be final and not subject to any appeal:
- (10) Any person who claims to be entitled to receive from the Ecclesiastical Commissioners any sum in pursuance of the provisions of paragraph (5) of this section shall at the request in writing of the said commissioners make any returns or supply any information to them which they may reasonably require to assist them in carrying out the provisions of this section:
- (11) The Corporation may pay to the Ecclesiastical Commissioners out of the tithe revenue account to be established in pursuance of section 7 (Separate accounts) of this Act such amount as they may think fit towards the costs and expenses of the Ecclesiastical Commissioners in relation to this Act:
- (12) The person or body appointed by the Corporation as the registrar of the tithe stock under the regulations set forth in the schedule to the City of London (Various Powers) Act 1944 in accepting a transfer of such stock for registration shall not be concerned to enquire whether the provisions of this Act in relation to the stock comprised in such transfer have been complied with.

Saving for  
powers of  
Treasury.

9 Geo. 6.  
c. 10.

9 & 10 Geo. 6.  
c. 58.

Increases  
in general  
rate.

5. Nothing in this Act shall authorise the issue of any securities otherwise than in compliance with the provisions of any defence regulations within the meaning of the Supplies and Services (Transitional Powers) Act 1945 for the time being having effect by virtue of that Act and of any orders for the time being in force made by the Treasury under section 1 of the Borrowing (Control and Guarantees) Act 1946.

6.—(1) The net estimated deficit which would but for the levying of a rate arise on the tithe revenue account in respect of each year ending the thirty-first day of March next following the appointed day shall be assessed made collected and levied by the Corporation as part of the general rate (in this section called “the tithe part of the general rate”) and any deficit or surplus arising on that account at the end of any year ending on the thirty-first day of March shall be carried forward to the succeeding year:

Provided that the following hereditaments shall be exempted from the tithe part of the general rate calculated to the nearest penny (namely):—

- (a) hereditaments in the parish of Saint Botolph Without Aldgate;
- (b) hereditaments in respect of which the tithes were redeemed before the first day of February one thousand nine hundred and forty-seven provided that evidence of such redemption is produced to the Corporation to their satisfaction;
- (c) hereditaments which immediately before the appointed day were by law exempt from tithes provided that evidence of such exemption is produced to the Corporation to their satisfaction;
- (d) hereditaments in respect of which any fixed periodic payments as defined by this Act are payable.

(2) (a) Where the occupier of a hereditament in respect of which tithes were leviable immediately before the appointed day is a person other than the person upon whom such tithes were leviable or from whom they were recoverable such occupier shall be entitled to deduct and retain in respect of the rent payable by him to his immediate landlord for the time being an amount equal to the tithe part of the general rate payable in respect of the hereditament or part thereof occupied by him and such deduction shall be made out of the first payment of rent thereafter or where such payment is insufficient out of the next payment and any person receiving the rent shall on production of the receipt for the payment of the general rate in respect of such premises or part thereof allow such deduction.



(b) Any person suffering a deduction from the rent payable to him as aforesaid who is a person other than the person upon whom such tithes were leviable or from whom they were recoverable immediately before the appointed day shall upon production of a certificate signed by the occupier to the effect that such deduction has been allowed have a similar right of deduction and retention as that conferred by this section upon an occupier.

(3) If at any time within three years from the appointed day and within a period of one month after receiving notice of the making of any general rate the owner or occupier of any hereditament in the city which has not in such rate been given the benefit of the exemption under the proviso to subsection (1) of this section gives notice in writing to the Corporation claiming that such hereditament is entitled to the benefit of such exemption on either of the grounds stated in paragraphs (b) or (c) of that proviso then if within a period of three months after receipt of such notice the Corporation reject the claim or do not agree with such owner or occupier to admit the same the owner or occupier may appeal to the Mayor's and City of London Court against such rejection. Save as provided in this subsection a decision by the Corporation that any hereditament in the city is or is not entitled to the benefit of the exemption under the proviso to subsection (1) of this section shall be final and not subject to any appeal.

(4) Whenever it is found necessary or expedient for the purposes of this Act to ascertain the rateable value of two or more parts of a property not separately valued in the valuation list for the time being in force the valuation of such parts shall be determined by the Corporation.

7.—(1) From and after the appointed day the Corporation shall keep in their books separate accounts in relation to the financial transactions connected with the extinguishment of the tithes and any other matters provided for in this Act including accounts to be called respectively "tithe revenue account" "tithe sinking fund account" and "tithe sinking fund investment account." Separate accounts.

(2) To the tithe revenue account there shall be debited—

- (a) the interest on the tithe stock;
- (b) the contributions to sinking fund for the redemption of the tithe stock at maturity;
- (c) all expenses in connection with the making levying and collection of the tithe part of the general rate;
- (d) all other expenses incurred by the Corporation on revenue account under this Act or in the execution of the purposes thereof.

- (3) To the tithe revenue account there shall be credited—
- (a) the net produce of the tithe part of the general rate;
  - (b) all interest received from the investment of moneys standing to the credit of the sinking fund of the tithe stock;
  - (c) any other income of the Corporation arising under this Act or in the execution of the purposes thereof.

(4) To the tithe sinking fund account there shall be credited in each year the amount debited in that year to the tithe revenue account for contributions to sinking fund for repayment of the tithe stock at maturity.

(5) To the tithe sinking fund investment account there shall be debited the cost of all investments acquired for the purposes of the ultimate repayment or earlier purchase and extinguishment of the tithe stock.

(6) In this section the expression "the tithe part of the general rate" has the meaning assigned to it in section 6 (Increases in general rate) of this Act.

As to moneys due or in hand at appointed day and applicable to discharge of tithes.

8.—(1) Any person from whom at the appointed day any tithes whose extinguishment is provided for under this Act are due shall pay such tithes to the Corporation and the Corporation shall be entitled to recover the same by proceedings in any court of competent jurisdiction or by any process which would have been available for the recovery thereof if this Act had not been passed.

(2) All moneys which within three years before the appointed day have been received by any tithe commissioners tithe collectors or other persons in respect of the payment of tithes whose extinguishment is provided for under this Act (other than tithes in respect of the parish of Saint Botolph Without Bishopsgate or the parish of Saint Giles Cripplegate) and which have not been before that day applied to purposes to which they were by law applicable shall forthwith after the appointed day be paid by such person to the Corporation and the Corporation shall be entitled to recover the same by proceedings in any court of competent jurisdiction. Any person who has within three years before the appointed day received any moneys in respect of the payment of tithes whose extinguishment is provided for under this Act shall not later than two months after the appointed day render to the Corporation a full and detailed account of all such moneys received by him during such period or in his hands at the commencement of such period and of any application or disbursement by him of the moneys so

received or in his hands together with lists of assessments rate and cash books and any other relevant information in his possession.

(3) In consideration of the right of retention by the Corporation of any moneys received by them under the preceding provisions of this section there shall as from the appointed day be imposed upon the Corporation an obligation to pay to any incumbent or lay impropiator to whom the provisions of paragraph (5) of section 4 (Compensation arrangements) of this Act are applicable and who within three months from the appointed day submits a claim in writing to the Corporation the amount (if any) by which the sum received by such incumbent or lay impropiator for or on account of any such annual sums as are referred to in that paragraph (other than sums in relation to the parish of Saint Botolph Without Bishopsgate or the parish of Saint Giles Cripplegate) in respect of the period of twelve months immediately preceding the appointed day (less any charges or expenses payable thereout for that period) is less than the average annual sum received by him for or on account of any such annual sums in respect of the period of thirty-six months immediately preceding the first day of October one thousand nine hundred and forty-six (less any charges or expenses payable thereout for that period).

(4) All moneys received or payable by the Corporation in pursuance of this section shall be carried to the credit or paid out of the tithe revenue account as the case may be.

(5) Any person who claims to be entitled to receive from the Corporation any sum in pursuance of the provisions of subsection (3) of this section shall at the request in writing of the Corporation make any returns or supply any information to them which they may reasonably require to assist them in carrying out the provisions of this section.

9.—(1) To the extent of any surplus of any moneys which the Corporation may receive in pursuance of the provisions of section 8 (As to moneys due or in hand at appointed day and applicable to discharge of tithes) of this Act in respect of any parish over any moneys which they may pay in respect of that parish in pursuance of the provisions of subsection (3) of that section the Corporation shall be responsible for the discharge *pari passu* of any sums which if this Act had not been passed would have been payable in respect of the twelve months immediately preceding the appointed day (otherwise than by any incumbent or lay impropiator) to any person not being an incumbent or lay impropiator out of the tithes whose extinguishment is provided for under

Discharge of sums payable out of tithes to persons other than incumbents and lay impropiators.

this Act or out of such tithes and any fixed periodic payments in relation to that parish provided that such person submits a claim therefor in writing to the Corporation within a period of three months after the appointed day.

(2) Any sums payable by the Corporation in pursuance of the provisions of this section shall be paid out of the tithe revenue account.

10. As from the appointed day the provisions of an Act passed in the sixth year of the reign of King George the Fourth chapter clxxvi intituled "An Act for extinguishing tithes and customary payments in lieu of tithes within the parish of Saint Botolph Without Bishopsgate in the liberties of the city of London and for making compensation to the rector for the time being in lieu thereof" shall be amended in the following respect:—

The provisions of section XIV of the said Act with respect to the raising of church rates for such sums as should be necessary for repairing and keeping in repair the church of the said parish and the churchyard belonging to the same and for payment of salaries and disbursements relative to the said parish church and churchyard and certain costs charges and expenses therein mentioned shall as from the appointed day be repealed and as from the appointed day the Ecclesiastical Commissioners shall hold an amount of twenty-six thousand six hundred and sixty-six pounds thirteen shillings and fourpence of the commission stock in trust to pay the interest thereon or on any re-investment thereof as it accrues due to the churchwardens of the said parish which interest shall be applied by the said churchwardens in repairing and keeping in repair the parish church of the said parish and the churchyard belonging to the same and in the payment of all necessary and proper salaries (other than the stipend of the incumbent) and disbursements in relation to the said church and churchyard and in no other manner whatsoever.

11. As from the appointed day the provisions of an Act passed in the seventh year of the reign of King George the Fourth chapter liv intituled "An Act for extinguishing tithes and customary payments in lieu of tithes and Easter offerings within the parish of Saint Giles Cripplegate in the liberties of the city of London and for making compensation to the vicar for the time being in lieu thereof" shall be amended in the following respect:—

The provisions of section VIII of the said Act with respect to the raising of church rates for such sums as should

As to  
parish of  
Saint  
Botolph  
Without  
Bishopsgate.

6 Geo. 4.  
c. clxxvi.

As to  
parish of  
Saint Giles  
Cripplegate.

7 Geo. 4.  
c. liv.

be necessary for repairing and keeping in repair the church of the said parish and the churchyard belonging to the same and for payment of salaries and disbursements relative to the said parish church and churchyard and certain costs charges and expenses therein mentioned shall as from the appointed day be repealed and as from the appointed day the Ecclesiastical Commissioners shall hold an amount of twenty-six thousand six hundred and sixty-six pounds thirteen shillings and fourpence of the commission stock in trust to pay the interest thereon or on any reinvestment thereof as it accrues due to the vestry of the said parish which interest shall be applied by the said vestry for repairing and keeping in repair the parish church of the said parish and the churchyard belonging to the same and for the payment of all necessary and proper salaries (other than the stipend of the incumbent) and disbursements in relation to the said church churchyard and vestry and for no other purpose whatsoever.

12. The powers conferred upon the Minister of Agriculture and Fisheries by the Ministry of Agriculture and Fisheries Acts 1889 to 1919 the London (City) Tithes (Saint Botolph Without Aldgate) Act 1881 the Saint Botolph Without Aldgate Tithe Rate Act 1888 and the Tithe Acts referred to in the said Act of 1881 in relation to the redemption of the annual tithe rates to be assessed levied and collected under the said Act of 1881 may and shall be exercised by the Corporation instead of the said Minister and all applications for such redemption shall after the passing of this Act be made to the Corporation.

As to parish of Saint Botolph Without Aldgate.

13.—(1) For the purposes of this Act the sum of seven hundred pounds payable to the rector of the parish of St. Andrew Holborn under the Act 4 Geo. 4 chapter cxviii shall be deemed to be received by him out of the tithes extinguished by this Act and on the appointed day the obligation of the Commissioners appointed in pursuance of the said Act of 4 Geo. 4 to pay that sum shall cease.

As to parish of Saint Andrew Holborn. 4 Geo. 4. c. cxviii.

(2) On the thirtieth day of November one thousand nine hundred and forty-seven the said Act of 4 Geo. 4 shall cease to have effect.

14. Any fixed periodic payments shall at the option of the party by whom the same are payable be redeemable at any time after the passing of this Act in consideration of such capital payment as may be agreed between such party and the party entitled to receive the same or as failing such agreement may be determined by arbitration in manner provided by the Arbitration Acts 1889 to 1934:

Redemption of certain fixed payments.

Provided that where the said party entitled to receive any payment so redeemed is the incumbent for the time being of a benefice the capital payment shall be paid to the Ecclesiastical Commissioners to be held and invested by them as if it were the proceeds of a sale under the Ecclesiastical Leasing Acts.

**15.—**(1) Subject to the provisions of this Act all obligations which immediately before the appointed day lie on any person to pay to any other person any annual or other periodic sum out of money received from tithes to be extinguished by this Act or out of such tithes and any fixed periodic payments shall cease as from the appointed day.

(2) Where immediately before the appointed day any income is charged with the payment of any annual or other periodic sum and the income so charged consists partly of tithe to be extinguished by this Act and partly of other income the Ecclesiastical Commissioners may by order determine what part of the said annual or other periodic sum is to be treated for the purposes of this Act as payable out of or from such tithes as aforesaid or money received therefrom and by any order made for the purpose aforesaid the Ecclesiastical Commissioners may also determine (if the case so requires) what part of the said annual or periodic sum is to be treated for the purposes of this Act as payable out of such tithes as aforesaid and any fixed periodic payments.

**16.—**(1) Every officer in office at the date of the passing of this Act who suffers substantial detriment to his livelihood by reason of the passing of this Act shall be entitled to compensation from the Corporation for that detriment.

(2) Any claim for such compensation shall be made within a period of six months after the passing of this Act and shall include a statement in writing showing the amount of compensation claimed and the grounds for such claim and the facts and circumstances supporting the claim.

(3) If the Corporation are satisfied that the detriment is established they shall pay compensation to such claimant out of the tithe revenue account.

(4) The Corporation shall notify the claimant of their decision with regard to any such claim within a period of three months after the expiration of the last date for the making of the claim.

(5) If the Corporation shall disallow the claim in whole or in part the claimant may appeal to the Mayor's and City of London Court and that court may by order confirm override or vary such decision. The Corporation shall give effect to the order of the court.

Cesser of  
payments  
out of  
tithe.

Compensa-  
tion to  
clerks and  
collectors.

(6) For the purposes of this section the expression "officer" shall mean any clerk or collector appointed in connection with the assessment and collection of tithes payable in pursuance of any Act of Parliament in force at the passing of this Act for the collection of tithes in any of the scheduled parishes.

(7) In the case of any person who on the first day of May one thousand nine hundred and forty-seven was in receipt of a pension or pensions in respect of his past services as an officer the Corporation shall out of the tithe revenue account continue to pay such pension or pensions for his life.

17. The costs charges and expenses preliminary to and of Costs of and incidental to the preparing obtaining and passing of this Act. Act shall be paid by the Corporation out of the tithe revenue account.

## The SCHEDULES referred to in the foregoing Act.

## FIRST SCHEDULE.

## THE SCHEDULED PARISHES.

- |  |   |
|--|---|
| 1. St. Alban Wood Street.                    | 35. St. Dunstan in the East.            |
| 2. All Hallows Barking-by-the-Tower.         | 36. St. Dunstan in the West.            |
| 3. All Hallows Bread Street.                 | 37. St. Edmund the King.                |
| 4. All Hallows Honey Lane.                   | 38. St. Ethelburga the Virgin.          |
| 5. All Hallows Lombard Street.               | 39. St. Faith under St. Paul's.         |
| 6. All Hallows-on-the-Wall.                  | 40. St. Gabriel Fenchurch.              |
| 7. All Hallows Staining.                     | 41. St. George.                         |
| 8. All Hallows the Great.                    | 42. St. Giles Cripplegate.              |
| 9. All Hallows the Less.                     | 43. St. Gregory by St. Paul.            |
| 10. St. Alphage London Wall.                 | 44. St. Helen Bishopsgate.              |
| 11. St. Andrew Holborn.                      | 45. St. James Duke's Place.             |
| 12. St. Andrew Hubbard.                      | 46. St. James Garlickhythe.             |
| 13. St. Andrew Undershaft.                   | 47. St. John the Baptist-upon-Walbrook. |
| 14. St. Andrew by the Wardrobe.              | 48. St. John the Evangelist.            |
| 15. SS. Anne and Agnes.                      | 49. St. John Zachary.                   |
| 16. St. Ann Blackfriars.                     | 50. St. Katherine Coleman.              |
| 17. St. Antholin.                            | 51. St. Katharine Cree Church.          |
| 18. St. Augustine.                           | 52. St. Lawrence Jewry.                 |
| 19. St. Bartholomew by the Exchange.         | 53. St. Lawrence Pountney.              |
| 20. St. Bartholomew the Great.               | 54. St. Leonard Eastcheap.              |
| 21. St. Bartholomew the Less.                | 55. St. Leonard Foster Lane.            |
| 22. St. Benet Fink.                          | 56. St. Magnus the Martyr.              |
| 23. St. Benet Gracechurch Street.            | 57. St. Margaret Lothbury.              |
| 24. St. Benet Paul's Wharf.                  | 58. St. Margaret Moses.                 |
| 25. St. Benet Sherehog.                      | 59. St. Margaret New Fish Street.       |
| 26. St. Botolph Without Aldersgate.          | 60. St. Margaret Pattens.               |
| 27. St. Botolph Without Aldersgate.          | 61. St. Martin Ludgate.                 |
| 28. St. Botolph Billingsgate.                | 62. St. Martin Orgar.                   |
| 29. St. Botolph Without Bishopsgate.         | 63. St. Martin Outwich.                 |
| 30. St. Bride Fleet Street.                  | 64. St. Martin Pomeroy.                 |
| 31. St. Clement Eastcheap.                   | 65. St. Martin Vintry.                  |
| 32. Christ Church Greyfriars Newgate Street. | 66. St. Mary Abchurch.                  |
| 33. St. Christopher-le-Stock.                | 67. St. Mary the Virgin Aldermanbury.   |
| 34. St. Dionis Backchurch.                   | 68. St. Mary Aldermary.                 |
|  | 69. St. Mary Axe.                       |
|  | 70. St. Mary Bothaw.                    |
|  | 71. St. Mary-le-Bow.                    |
|  | 72. St. Mary Colechurch.                |
|  | 73. St. Mary-at-Hill.                   |



74. St. Mary Magdalen Milk Street.	91. St. Nicholas Acons.	1ST SCH. —cont.
75. St. Mary Magdalen Old Fish Street.	92. St. Nicholas Cole Abbey.	
76. St. Mary Mounthaw.	93. St. Nicholas Olave.	
77. St. Mary Somerset.	94. St. Olave Hart Street.	
78. St. Mary Staining.	95. St. Olave Old Jewry.	
79. St. Mary Woolchurch Haw.	96. St. Olave Silver Street.	
80. St. Mary Woolnoth.	97. St. Pancras Soper Lane.	
81. St. Matthew.	98. St. Peter Cornhill.	
82. St. Michael Bassishaw.	99. St. Peter Paul's Wharf.	
83. St. Michael Cornhill.	100. St. Peter-le-Poer.	
84. St. Michael Crooked Lane.	101. St. Peter Westcheap.	
85. St. Michael Queenhithe.	102. St. Sepulchre.	
86. St. Michael-le-Quorn.	103. St. Stephen Coleman Street.	
87. St. Michael Paternoster Royal.	104. St. Stephen Walbrook.	
88. St. Michael Wood Street.	105. St. Swithun London Stone.	
89. St. Mildred Bread Street.	106. St. Thomas Apostle.	
90. St. Mildred Poultry.	107. Holy Trinity Gough Square.	
	108. Holy Trinity the Less.	
	109. St. Vedast Foster Lane.	

Parishes Nos. 11 27 36 and 102 are partly without the city.

## SECOND SCHEDULE.

SESSION AND CHAPTER.	TITLE OR SHORT TITLE.
37 Henry 8. c. 12 ...	"An Act for tithes in London."
22 & 23 Chas. 2. c. 15	"An Act for the better settlement of the maintenance of the parsons vicars and curates in the parishes of the city of London burnt by the late dreadful fire there."
7 & 8 Will. 3. c. 18 ...	"An Act to ascertain and settle the payments of the impropriate tithes of the parish of St. Lawrence Old Jewry in London to the Master and Scholars of Baliol College in Oxford and for confirming an award made concerning the same."
4 Anne. c. 27 ...	"An Act for settling the impropriate tithes of the parish of St. Bridget alias Brides London."
13 Geo. 1. c. 35 ...	"An Act for establishing a certain provision for maintaining the curate of the parish of St. Katherine Cree Church alias Christ Church London and for repairing and supporting the chancel of the said parish church."

2ND SCH.  
—cont.

SESSION AND CHAPTER.

TITLE OR SHORT TITLE.

- 5 Geo. 3. c. 91 ... " An Act for vesting certain glebe lands belonging to the rectory of the parish church of Saint Christopher in the city of London in the Governor and Company of the Bank of England and for making a recompense to the rector of the said parish and his successors in lieu thereof and for obviating certain doubts in an Act passed in the thirty-third year of the reign of his late Majesty for widening certain streets, lanes and passages within the city of London."
- 21 Geo. 3. c. 71 ... " An Act for vesting the parish church of Saint Christopher le Stocks in the city of London and the materials and site thereof and the church-yard thereto adjoining in the Governor and Company of the Bank of England and their successors for ever and for uniting the said parish to the parish of Saint Margaret Lothbury in the said city."
- 39 & 40 Geo. 3. c. lxxxix. " An Act to empower the Governor and Company of the Bank of England to purchase certain houses and ground contiguous to the Bank of England and to enable them to improve certain avenues adjacent thereto."
- 44 Geo. 3. c. lxxxix " An Act for the relief of certain incumbents of livings in the city of London."
- 52 Geo. 3. c. ccx ... " An Act for enabling the mayor and commonalty and citizens of the city of London to improve and grant building leases of the ground in Moorfields also to sell all the ground comprised in such leases when improved and to apply the produce thereof towards increasing the Orphans' Fund."
- 55 Geo. 3. c. xci ... " An Act for enlarging and improving the west end of Cheapside in the city of London also Saint Martins-le-Grand Aldersgate Street Saint Annes Lane and Foster Lane and for providing a site for a new post office between St. Martins-le-Grand and Foster Lane aforesaid."

10 & 11 GEO. 6.

*City of London (Tithes)  
Act, 1947.*

**Ch. xxxi.**

SESSION AND CHAPTER.

TITLE OR SHORT TITLE.

2ND SCH.

—cont.

- 1 Geo. 4. c. lix ... "An Act for uniting the Rectory and the Vicarage of the parish of Saint Dunstan in the west in the city of London and for making a certain annual payment to the Rector of the said parish in lieu of tithes."
- 4 Geo. 4. c. cxviii ... "An Act for extinguishing tithes and customary payments in lieu of tithes, and all demands for Easter offerings within the London or city Liberty of Saint Andrew Holborn in the city of London and for making compensation in lieu thereof."
- 4 Geo. 4. c. clxxvi ... "An Act for extinguishing tithes and payments in lieu of tithes within the parish of Saint Botolph Without Bishopsgate in the liberties of the city of London and for making compensation to the Rector for the time being in lieu thereof."
- 7 Geo. 4. c. liv ... "An Act for extinguishing tithes and customary payments in lieu of tithes and Easter offerings within the parish of Saint Giles Cripplegate in the liberties of the city of London and for making compensation to the Vicar for the time being in lieu thereof."
- 7 Geo. 4. c. cxvi ... "An Act for extinguishing tithes and customary payments in lieu of tithes within that part of the parish of Saint Botolph Without Aldersgate which is situate in the city of London and for making compensation in lieu thereof and for increasing the provision for the Incumbent of the said parish."
- 1 Will. 4. c. iii ... "An Act for enlarging the powers of an Act passed in the tenth year of the reign of his late Majesty for improving the approaches to London Bridge."
- 2 & 3 Vict. c. cvii. ... "An Act for further extending the approach as to London Bridge and amending the Acts relating thereto."
- 27 & 28 Vict. c. cclxviii. "An Act for the commutation of tithes in certain parishes in the city of London and for other purposes."

2ND SCH.  
—cont.

SESSION AND CHAPTER.

TITLE OR SHORT TITLE.

38 &amp; 39 Vict. c. lxxiv

“ Saint Paul’s Cathedral London Minor  
Canonries Act 1875.”

42 &amp; 43 Vict. c. xciii

“ An Act for the settlement of tithes in the  
parish of Christchurch Newgate Street  
in the city of London.”

42 &amp; 43 Vict. c. clxxvi

“ The London (City) Tithes Act 1879.”

44 &amp; 45 Vict. c. cxcvii

“ The London (City) Tithes (St. Botolph  
Without Aldgate) Act 1881.”

51 &amp; 52 Vict. c. lxix...

“ Saint Botolph Without Aldgate Tithe Rate  
Act 1888.”

7 Edw. 7. c. cxl ...

“ City of London (Union of Parishes) Act  
1907.”10 Edw. 7. & 1 Geo.  
5. c. xxx.“ City of London (Tithes and Rates) Act  
1910.”

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