Anno octavo

Georgii III. Regis.

CAP. XXXII.

An Act for carrying into Execution an Agreement made between the Mayor and Commonalty and Citizens of the City of *London*, and the Wardens and Commonalty of the Myſtery of *Mercers* of the ſaid City, and *Stamp Brookſbank* Eſquire, Secretary to the Commiſſioners of His Majeſty's Revenue of Exciſe, for the Purchaſe of *Greſham College*, and the Ground and Buildings thereunto belonging; and for veſting the ſame unalienably in the Crown for the Purpoſe of erecting and building an Exciſe Office there; and for enabling the Lecturers of the ſaid College to marry, notwithſtanding any Reſtriction contained in the Will of Sir *Thomas Greſham* Knight, deceaſed.

Preamble.



WHEREAS the House and Buildings now made use of for the managing and conducting the Business of His Majesty's Revenue of Excise, situate in the Old Jewry, London, and called or known by the Name of The Excise Office, are, for want of necessary Room for the Officers and Clerks, found very inconvenient and insufficient for the well ordering and conducting the Business of the said Office, which Business hath, of late Years, been considerably encreased: And whereas the said House and Buildings, as well from their Construction, as from the Number and Nearness of the ancient Houses which confine and surround the same, are greatly exposed to Fire; and no Place has been, nor can be there found sufficient and proper to secure the Records and Papers of the said Office from such Accidents; and as the Lease of the said House and Buildings will expire on the Tenth Day of October, One thousand seven hundred and seventy, it is necessary that some more safe, fit, and commodious Place be prepared, to which the said Office may be removed: And whereas the Messuage, Tenement, Edifices, and Buildings, now called and known by the Name of Gresham College, situate in the Parish of Saint Helens, in Bishopsgate Street, and in Saint Peters the Poor, in the City of London, have, upon Enquiry, been deemed a proper and convenient Place for the erecting and building an Office for the managing, conducting, and carrying on, the Business of His Majesty's Revenue of Excise: And whereas upon Consideration of the Premisses, the Commissioners of His Majesty's Revenue of Excise did, by and with the Consent, Approbation, and Direction, of the Commissioners of His Majesty's Treasury, treat with the Mayor and Commonalty and Citizens of the City of London, and the Wardens and Commonalty of the Mystery of Mercers of the City of London, who are seised of the said College called Gresham College; and in pursuance of such Treaty, Articles of Agreement bearing Date the Tenth Day of December, in the Year of our Lord One thousand seven hundred and sixty seven, have been mutually entered into by and

the Mayor and Commonalty and Citizens of the City of London, and the Wardens and Commonalty of the Mystery of Mercers of the City of London, of the One Part, and Stamp Brookshank Esquire, Secretary to the Commissioners of his Majesty's Revenue of Excise, of the other Part, whereby the said Mayor and Commonalty and Citizens of the City of London, and the Wardens and Commonalty of the Mystery of Mercers of the City of London, for and in Consideration of One yearly Annuity of Five hundred Pounds of lawful Money of Great Britain, free and clear of all Parliamentary and other Taxes, Payments, Charges, and Deductions whatsoever, to be settled on the Mayor and Commonalty and Citizens of the City of London, and the Wardens and Commonalty of the Mystery of Mercers of the City of London, for ever, to commence from the Feast Day of Saint Michael, One thousand seven hundred and sixty eight, and to be issuing and payable out of His Majesty's Revenue arising from the Duties of Excise, as in the said Agreement is mentioned, have consented and agreed to surrender, yield, and give up, the said Messuage or Tenement called Gresham College, herein after more particularly mentioned and described, with all its Rights, Members, and Appurtenances, to be settled unalienably in the Crown, for the Purpose of making, erecting, and establishing there, an Office for the conducting and carrying on the Business of His Majesty's Revenue of Excise, and to be called or known by the Name of The Excise Office: And whereas the said Agreement cannot be carried into full and compleat Execution 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, That from and after the Twenty fifth Day of March, One thousand seven hundred and sixty eight, all that Messuage or Tenement called Gresham College, in the Parish of Saint Helens, in Bishopsgate Street, and in Saint Peter's the Poor, in the City of London, and all the Ground thereunto belonging; containing on the West Front next Old Broad Street in Length, from North to South, Two hundred and five Feet, little more or less; and from the South End of the said Front, pointing Eastward, extends Ninety Feet Six Inches; then turning to the North Fifty five Feet Six Inches, then to the East Eighty five Feet Three Inches,

From and after 25 *March* 1768, the Messuage called *Gresham College*, and the Ground, &c. thereunto belonging;

then to the South Five Feet Six Inches, then to the East Nine Feet, then to the South Twenty one Feet Five Inches, then to the East Twenty eight Feet Nine Inches, then to the South Twenty six Feet Two Inches, then to the East Twenty seven Feet, then to the North Twenty seven Feet Two Inches; and from thence to Bishopsgate Street Eastward in an irregular Line Eighty Four Feet Nine Inches; from thence to the North on the East Side thereof next Bishopsgate Street is a Gateway under One of the Houses there of about Ten Feet wide from North to South, used as a Coachway from Bishopsgate Street into the said College and Premisses; then on the North Side of the said Gateway from Bishopsgate Street pointing towards the West is Thirty four Feet Four Inches, then turning Northward Thirty Feet Eleven Inches, then to the West Forty five Feet Ten Inches, then to the North Seventy one Feet Six Inches, then to the West Forty nine Feet, then to the North Fifteen Feet Eight Inches, then to the West Twenty one Feet Seven Inches, then to the North Thirty six Feet, and from thence to the West on the North Side, which joins nearly at right Angles to the West Front in Old Broad Street, One hundred and eighty six Feet Six Inches; and at the South End of the said West Front next Old Broad Street, over a Passage of Five Feet wide, or thereabouts, leading into Sun Yard, is a Building belonging to the said College, which extends from West to East Twenty three Feet Eight Inches, together with all Erections and Buildings now erected and built upon the said Ground and Premisses above described, or any Part thereof, or that shall or may, at any Time hereafter, be built and erected thereon, or on any Part thereof, with all the Rights, Members, Privileges, Immunities, Exemptions, Ways, Paths, Passages, Waters, Watercourses, Easements, Commodities, Emoluments, Advantages, and Appurtenances whatsoever, to the said Messuage, Tenement, and College, or any Part thereof, belonging and usually held and enjoyed therewith, shall be, and be deemed to be, and are hereby declared to be, vested in and annexed to the Imperial Crown of this Realm, and shall be and remain for ever unalienable from the same; and His Majesty, and His Successors in the Imperial Crown of this Realm, shall for ever have, hold, and enjoy, the same, against the Mayor and Commonalty and Citizens of the City of London, and the Wardens

with all Rights and Privileges belonging to and enjoyed therewith,

are declared to be vested in, and annexed unalienably to the Crown;

and Commonalty of the Mystery of Mercers of the City of London, and all and every Person and Persons claiming or to claim by, from, or under them, or any of them, freed and discharged of and from all former Estates, Leases, or other Incumbrances whatsoever, made or granted of the said Premisses, or any Part thereof.

in full Satisfaction for which, there shall be paid out of the Revenue of the Excise Office to the City of *London*, and to the *Mercers* Company, an Annuity of 500 *l. per Annum*;

And be it enacted by the Authority aforesaid, That in full Satisfaction for the said College, Ground, and Premisses, so vested in and annexed to the Crown as aforesaid, there shall be paid to the Mayor and Commonalty and Citizens of the City of London, and the Wardens and Commonalty of the Mystery of Mercers of the City of London, for ever, One Yearly Annuity of Five hundred Pounds of lawful Money of Great Britain, free and clear of all Parliamentary and other Taxes, Payments, Charges, and Deductions whatsoever, payable Quarterly on the Four most usual Feast Days, or Days of Payment, in the Year, to commence from the Feast Day of Saint Michael, One thousand seven hundred and sixty eight; the First Quarterly Payment to be made on the Feast Day of the Nativity of our blessed Lord, in the said Year One thousand seven hundred and sixty eight, and to be issuing and payable out of the Revenue of Excise, and to be paid at the Excise Office in London, from time to time.

the same to be paid Quarterly;

and the first Payment to be made on 25 *Dec.* 1768;

the Receipt of the Persons appointed by the City and *Mercers* Company, to be a Discharge to the Receiver General of the Duties of Excise for such Payments.

And be it enacted by the Authority aforesaid, That on Payment of the said Yearly Annuity of Five hundred Pounds, or any Part thereof, by the Receiver General of his Majesty's Duties of Excise for the time being, the Receipt of the Mayor and Commonalty and Citizens of the City of London, and the Wardens and Commonalty of the Mystery of Mercers of the City of London, or of such Person as they shall appoint to receive the same, shall be a Discharge to such Receiver General for the Sum of Money expressed in such Receipt, and the same shall be allowed such Receiver General on passing his Accounts; and in case the said Annuity, or any Part thereof, shall be behind and unpaid by the Space of Twenty one Days next over or after any of the said Feasts, or Days on which the same shall become due and payable, after having been lawfully demanded at the Office aforesaid, it shall and may be lawful to and for the Mayor and Commonalty and Citizens of the City of London, and the Wardens and Commonalty of the Mystery of Mercers of the City of London, to bring an Action at Law, in his Ma-

If such Payments are not duly made,

an Action may be brought against such Receiver General.

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jesty's Court of Exchequer at Westminster, against the Receiver General of His Majesty's Duties of Excise for the time being, to recover the Money due; in which Action no Essoin, Wager of Law, or Protection, shall be allowed; and in case the Plaintiff or Plaintiffs shall recover in such Action, he or they shall be intitled to Full Costs.

and Full Costs allowed on recovering.

And whereas pursuant to the last Will and Testament of Sir Thomas Gresham of the City of London Knight deceased, Four Persons have, from time to time, been chosen, nominated, and appointed, by the Mayor and Commonalty and Citizens of the City of London, to read Lectures of Divinity, Astronomy, Musick, and Geometry, within the said College; and also Eight Persons have been, from time to time, appointed by the said Mayor and Commonalty and Citizens of London, to inhabit Eight Almshouses standing within, or adjoining to, and Part of, the said College; and also Three Persons have, from time to time, been chosen, nominated, and appointed, by the Wardens and Commonalty of the Mystery of Mercers of the City of London to read Lectures in Law, Physick, and Rhetorick, within the said College; and such Seven Persons so chosen, nominated, and appointed, to read such Lectures have, by the Directions of the said Will, had Apartments within the said College for the Purpose of residing there and reading such Lectures: And whereas the said several Seven Persons so chosen, nominated, and appointed, to read the said Lectures, and the said Eight Alms-folks, the better to enable the Mayor and Commonalty and Citizens of the City of London, and the Wardens and Commonalty of the Mystery of Mercers of the City of London, to perform their Part of the Agreement entered into as aforesaid, have respectively agreed and consented to relinquish and quit their Apartments and Almshouses; be it enacted by the Authority aforesaid, That the Mayor and Commonalty and Citizens of the City of London do and shall pay, or cause to be paid, unto the Four Persons who now read the said Lectures in Divinity, Astronomy, Musick, and Geometry, and to their Successors who shall, from time to time, be chosen, nominated, and appointed, to read the said Lectures, and to each and every of them, the yearly Sum of Fifty Pounds of lawful Money of Great Britain, free and clear of all Parliamentary and other Taxes, Payments, Charges, and Deductions whatsoever, by even and equal Quarterly Payments, in lieu and instead of their respective Apartments so by

50 *l. per Annum* clear of all Taxes to be paid by the City to their several Lecturers, in Consideration of the Apartments relinquished by them in the said College;

the same to be paid Quarterly.

them agreed to be relinquished and given up, and over and above the Salaries and Stipends found, provided, and allowed, to them for reading the same Lectures; and in like Manner that the Wardens and Commonalty of the Mystery of Mercers of the City of London do and shall pay, or cause to be paid, unto the Three Persons who now read the said Lectures in Law, Physick, and Rhetorick, and to their Successors who shall, from time to time, be chosen, nominated, and appointed, to read the said Lectures, and to each and every of them, the Yearly Sum of Fifty Pounds of lawful Money of Great Britain, free and clear of all Parliamentary and other Taxes, Payments, Charges, and Deductions whatsoever, by even and equal Quarterly Payments, in lieu and instead of their respective Apartments so by them agreed to be relinquished and given up, and over and above the Salaries and Stipends found, provided, and allowed, to them for reading the same Lectures; the first Quarterly Payments of the said Yearly Sums respectively to be made on the Feast Day of the Nativity of Our Blessed Lord, in the said Year One thousand seven hundred and sixty eight.

and 50 *l. per Annum* by the *Mercers* Company to their Lecturers, in lieu of their Apartments;

the first Quarterly Payments to be made on 25 *Dec.* 1768.

And be it further enacted by the Authority aforesaid, That in Consideration of the great Age and Infirmities of Henry Pemberton Doctor of Physick, the present Reader in Physick in the said College, and of his long Residence therein, the said Wardens and Commonalty of the Mystery of Mercers of the City of London shall, over and above the said Yearly Sum of Fifty Pounds by this Act provided for the Reader in Physick for the time being, by like Quarterly Payments pay, or cause to be paid, unto the said Henry Pemberton, the further additional Yearly Sum of Fifty Pounds for and during the Term of his natural Life, free and clear of all Taxes and Deductions whatsoever.

An additional Sum of 50 *l. per Annum* to be paid by the *Mercers* Company to Doctor *Pemberton* during his Life.

And be it further enacted by the Authority aforesaid, That the Mayor and Commonalty and Citizens of the City of London, and the Wardens and Commonalty of the Mystery of Mercers of the City of London, do and shall, from time to time, and at all Times hereafter, find and provide sufficient and proper Place or Places for the present Seven Professors, and all succeeding Persons to be chosen, nominated, and appointed, for the reading the Lectures in Divinity, Astronomy, Musick, Geometry, Law, Physick, and Rhetorick, to read the same in accordingly; and also like sufficient and proper Place and Places for the Habitation of the Eight Alms-folks now or hereafter for the time being.

The City, and *Mercers* Company, to provide proper Places for the reading of Lectures;

and for the Habitation of the Alms-folks of the College.

The City and *Mercers* Company are to pay to the Receiver General of the Excise, within a Month, 1800*l.* towards the Charge of pulling down the College, and building an Excise Office.

And be it further enacted by the Authority aforesaid, That the Mayor and Commonalty and Citizens of the City of London, and the Wardens and Commonalty of the Mystery of Mercers of the City of London, do and shall, within the Space of One Month from the passing of this Act, pay, or cause to be paid, unto the Receiver General of His Majesty's Duties of Excise, the Sum of One thousand eight hundred Pounds, for and towards the Expence of pulling down the said College and the building an Excise Office there; and the Receipt of such Receiver General shall be a sufficient Discharge for the same,

Persons possessed, &c. of such Lands or Tenements as shall be found necessary for rendering the said Building more commodious, are impowered to sell and convey the same for that Purpose;

And whereas it may be found necessary for the more commodious building the said Office, or for rendering the same more convenient and proper by any future Buildings to be added thereto, that a Power be vested in the Commissioners of His Majesty's Treasury for the purchasing Lands or Tenements for those Purposes; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, and all Trustees, Mortgagees, and Feoffees in Trust, Guardians of Infants, and Committees of Lunaticks, and Ideots, Executors, and Administrators whatsoever; and all and every other Person or Persons whomsoever, who are or shall be seized, possessed, or interested in, any Lands or Tenements standing, or being contiguous or adjoining to, the said College, to bargain and sell the same to such Person or Persons as the Commissioners of His Majesty's Treasury now being, or any Three or more of them, or the High Treasurer, or the Commissioners of His Majesty's Treasury for the time being, or any Three or more of them, shall, by Writing under his or their Hands, appoint to contract for the Purchase thereof, for the Purpose aforesaid; and such Lands or Tenements so to be purchased, shall be conveyed to His Majesty, his Heirs, or Successors, by Deed or Deeds to be inrolled in His Majesty's Court of King's Bench; and when so purchased, shall be, and be deemed to be, and are hereby declared to be, vested and annexed to the Imperial Crown of this Realm, and shall be and remain for ever unalienable from the same; and all Contracts, Agreements, and Sales, and all Conveyances by such Deeds inrolled as aforesaid, which shall be made by such Bodies Politic, Corporate, or Collegiate, or other Persons aforesaid, shall be valid and effectual to all Intents and Purposes; any Law, Statute, or Usage, or any other Matter or Thing to the contrary notwithstanding: And all and every Sum and Sums

and after Conveyance and Inrollment of the Deed of Sale, the Premisses are to vest in the Crown unalienable.

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of Money which shall be paid to or for the Use of such Body Politic, Corporate, or Collegiate, or other Person or Persons aforesaid, for the Purchase of any Lands or Tenements for the Purposes of this Act, shall be respectively laid out, and invested in, the Purchase of other Lands, Tenements, and Hereditaments, which shall be conveyed and settled to and upon, and subject to, such Titles, Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands and Tenements sold for the Purpose of this Act were settled, limited, and assured, at the Time of such Sale, and shall be held and enjoyed accordingly; and until such Purchase-money shall be re-invested in Lands as aforesaid, the same shall be laid out in the Purchase of Stocks in some of the Publick Funds, or placed out on Government or Real Securities, at Interest; and such Interest shall be paid to and for the Use of such Person or Persons as would have been intitled to the Rents and Profits of the Lands and Tenements so sold for the Purposes of this Act, as aforesaid.

Money paid for the same to be laid out in other Purchases, and to be settled to the same Uses; and till that can be done, to be laid out in some of the Publick Funds.

And be it further enacted by the Authority aforesaid, That when the Excise Office shall be built at Gresham College aforesaid, and the said Office shall be kept and held there, the same shall be called The Excise Office, and that all and every Act and Acts, Thing and Things, Matters and Concerns, made, done, and executed there, for the Receipt and Management of His Majesty's Duties of Excise, shall be and are hereby declared to be as good and valid in the Law, to all Intents and Purposes, as such Act or Acts, Matters, Things, or Concerns, would have been, had the same been made, done, and executed, at the said Office of Excise in the Old Jewry, had this Act never been made.

All Acts, *&c.* done at the Excise Office, when built at *Gresham College*, deemed as valid as if done at the Office in the *Old Jewry*.

Saving always, to the King's most Excellent Majesty, His Heirs and Successors, and all and every Person and Persons, Bodies Politic and Corporate (other than and except the Mayor and Commonalty and Citizens of the City of London, and the Wardens and Commonalty of the Mystery of Mercers of the City of London, and all Persons claiming by, from, and under them) all such Estate, Right, Title, and Interest, in, to, and out of, the said College, Ground, and Premisses herein before mentioned, or any Part thereof, as fully and amply, to all Intents and Purposes, as if this Act had not been made.

Reservation of Rights.

And whereas in and by the said last Will and Testament of the said Sir Thomas Gresham, the Mayor Commonalty and Citizens of the City of London, and the Wardens and Commonalty of the Mystery of Mercers

of the City of London, were directed to permit and suffer the Seven Persons elected and appointed to read the Seven Lectures in the said Will mentioned, to have the Occupation of all the Mansion-house, Gardens, and other Appurtenances, (now called Gresham College) for them, and every of them, there to inhabit, study, and daily to read the said several Lectures: And whereas in and by the said Will it is directed, that no Person chosen to read any of the said Lectures should be suffered to read any of the said Lectures after that he should be married, nor should receive any Fee or Stipend appointed for the reading of the said Lectures: And whereas in pursuance of this Act the said College will be pulled down and taken away, and the Collegiate Life of the said Lecturers, intended by the said Sir Thomas Gresham, will, by the pulling down of the said College, be put an End to; be it enacted by the Authority aforesaid, That from and after the passing of this Act, it shall and may be lawful to and for the said Seven Lecturers, or their Successors, or any of them, to marry, notwithstanding any Restriction contained in the said Will; and each and every of the said Lecturers, and their Successors, shall, notwithstanding their being married, be suffered to read their said several Lectures after they shall be married, and shall be intitled to receive the Fee or Stipend appointed for the reading of their said several Lectures; and the Mayor, Commonalty, and Citizens, of the said City of London, and the Wardens and Commonalty of the said Mystery of Mercers, and their Successors, shall not be or be deemed guilty of any Misapplication of such Sum or Sums of Money as shall be paid in Fees or Stipends to the said Lecturers, though married; any Restriction or Limitation in the said Will contained to the contrary notwithstanding.

The Lecturers authorized to marry, and read Lectures afterwards, notwithstanding any Restriction or Limitation in Sir *Thomas Gresham's* Will.

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FINIS.