



ANNO QUINQUAGESIMO SECUNDO

GEORGI II. REGIS.



Cap. 210.

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.

[29th July 1812.]

WHEREAS by Letters Patent, bearing Date the Eighteenth Day of *October* One thousand six hundred and thirty-eight, His late Majesty King *Charles* the First, for Himself, His Heirs and Successors, did give, grant, and confirm to the Mayor and Commonalty and Citizens of the City of *London*, and their Successors, divers Messuages, Houses, Edifices, Cottages, Buildings, Courts, Yards, and other Hereditaments therein described; and did also for Himself, His Heirs and Successors, declare and grant that the said Mayor and Commonalty and Citizens, and their Successors for ever, might have, hold, and enjoy all those Fields called or known by the Name of the *Inward Moor* and *Outward Moor*, in the Parishes of *Saint Giles* without *Cripplegate*, *London*, *Saint Stephen* in *Coleman Street*, *London*, and *Saint Botolph* without *Bishopsgate*, *London*, or in some or any of them, and also all that Field called *West Smithfield*, in the Parish of *Saint Sepulchre*, *Saint Bartholomew the Great*, *Saint Bartholomew the Less*, in the Suburbs of *London*, or in some of them, to the Uses, Intents, and Purposes therein-after expressed; and that the same Mayor and Commonalty and Citizens, and their Successors, might be able to hold in the said Field called *Smithfield*, Fairs and Markets, there to be and used to be held, and to take, receive,

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and have Picking, Stallage, Tolls, and Profits, appertaining, happening, belonging, or arising out of the Fairs or Markets there, to such Uses as the said Mayor and Commonalty and Citizens, or their Predecessors, had, held, and enjoyed, and then held and enjoyed, or ought to have, hold, and enjoy the said Premises last mentioned, and to no other Uses, Intents, or Purposes whatsoever; and that His said Majesty, His Heirs and Successors, would not erect, or cause to be erected, nor would permit, or give Leave to any Person or Persons to erect and build any new or other Messuages, Houses, Buildings, or Edifices, in or upon the aforesaid Field called the *Inner Moor*, or the Field called *Outward Moor*, or the said Field called *West Smithfield*, but that the said separate Fields and Places be reserved, disposed, and continued for such like common and public Uses as the same Fields thenceforth and then were used, disposed, or converted to, (saving nevertheless always and reserving wholly to His said Majesty, His Heirs and Successors, all Streets, Lanes, and Alleys, and then waste and void Ground, as then were within the City and Liberties thereof, and then common and void Soil and Ground of the City aforesaid and Liberties thereof,) to hold and enjoy the said Messuages, Houses, Edifices, Court Yards, and all and singular the Premises thereby granted or confirmed, or mentioned to be granted or confirmed, with all their Appurtenances, (except as before excepted,) to the aforesaid Mayor and Commonalty and Citizens of the City aforesaid, and their Successors for ever, to be held in free and common Burgage, and not *in Capite* nor by Knights Service: And whereas the said Fields or Moors called the *Inward Moor* and *Outward Moor*, containing Nine Acres and Eleven Perches, remain open and unbuilt upon, but is encompassed with Buildings to a very great Extent or Distance in every Direction, and instead of being publicly useful in their present State, are become a Place of Resort of idle, disorderly, and vicious Persons, both by Night and by Day, and an Annoyance to the Neighbourhood: And whereas the Annoyances aforesaid would be prevented, and the City of *London* considerably improved, by the Erection of Houses and other Buildings on the said Fields or Moors called the *Inward Moor* and *Outward Moor*: And whereas the Freehold and Inheritance of the said Fields or Moors, called the *Inward Moor* and *Outward Moor*, remain vested in His Majesty, subject only to such Use and Enjoyment thereof for such common and public Uses as expressed in the said Grant, and subject also to the Covenant contained in the said Grant restraining His Majesty, His Heirs and Successors, from building thereon; and the said Mayor and Commonalty and Citizens have therefore humbly requested that His Majesty would be graciously pleased to relinquish His Rights and Interests therein, for the Purpose of such Improvement: And whereas an Act was made in the Fifth and Sixth Year of the Reign of King *William* and Queen *Mary*, intituled *An Act for the Relief of the Orphans and other Creditors of the City of London*, whereby a Fund was established for the Purposes therein mentioned, and which said Fund, and the Receipts and Disbursements thereof, are under the Management and Direction of the Court of Mayor and Aldermen of the City of *London*, and the same is charged with considerable Sums of Money for defraying the Expences of several public Works: And whereas by Three Acts passed, One in the Twenty-first Year of His late Majesty King *George* the Second, intituled *An Act for the further Relief of Orphans and other Creditors of the City of London, and for other Purposes therein mentioned*; another in the Seventh Year of the Reign of His present Majesty, intituled *An Act for*
completing

5 & 6 W. & M.
c. 10.

21 G. 2. c. 29.

7 G. 3. c. 37.

completing the Bridge cross the River Thames, from Blackfriars in the City of London, to the opposite Side in the County of Surrey, and the Avenues thereto on the London Side; for redeeming the Tolls on the said Bridge and on London Bridge; for rebuilding the Gaol of Newgate in the said City; for repairing the Royal Exchange within the same; for embanking Part of the North Side of the said River within certain Limits, and for further continuing towards those Purposes the Imposition of Sixpence per Chaldron or Ton of Coals and Culm imported into the Port of the said City, established by an Act of the Fifth and Sixth Years of the Reign of King William and Queen Mary; and also for carrying on the new Pavements in the City and Liberties of Westminster and Parishes adjacent, and in the Town and Borough of Southwark, and for other Purposes therein mentioned; and the other in the Forty-fourth Year of the Reign of His present Majesty, intituled *An Act for raising an additional Sum of Money for carrying into Execution several Acts for widening the Entrance into the City near Temple Bar, for making a more commodious Street at Snowhill, and for raising, on the Credit of the Orphans Fund, certain Sums of Money for these Purposes, also for enlarging the Powers of the said Acts*, the several Provisions for supporting the said Fund have been continued and augmented, and the Whole of the Rates and Charges applicable to the said Fund, from the Time of passing the said Act of the Seventh Year of the Reign of His present Majesty, are to remain and continue until the Fifth Day of July which will be in the Year of our Lord One thousand eight hundred and thirty-seven, when some of the said Rates and Duties are to cease, but the Sum of Ten thousand Pounds per Annum, by the said Acts of Parliament of the Fifth and Sixth Years of King William and Queen Mary, and of the Twenty-first Year of His late Majesty King George the Second, charged upon or made payable out of the Revenues of or belonging to the said City of London, and certain other of the Rates and Charges therein also mentioned, are thereby continued until all the Principal Monies charged upon the said Orphans Fund, together with Interest for the same, shall be paid off and annihilated: And whereas, for effecting the Improvement aforesaid, the said Mayor, Aldermen, and Commons of the City of London, in Common Council assembled, are desirous that the said Fields or Moors, called the *Inward Moor* and *Outward Moor*, should be discharged from the public and other Uses and Restrictions to which the same are now subject, and that they should be empowered to grant Building Leases thereof, or of such Parts thereof as shall not be set out and left open for Streets or Ways, or for securing a free Circulation of Air; and when Houses or Buildings shall be erected and finished in pursuance of such Leases, to sell and dispose of the Ground Rents to be thereby reserved, and also the Reversion, Freehold, and Inheritance of the respective Pieces or Parcels of the said Ground thereby to be respectively demised, and to dispose of the Money to be produced by such Sale or Disposition in Aid or Increase of the said Fund called *The Orphans Fund*: And whereas, in order to render the said Fields or Moors, called the *Inward Moor* and *Outward Moor*, fit for the Erection of Buildings, it will be necessary to raise and improve the Surface of the same, and to set out the Streets or Ways to be made therein, and it is expedient that the said Mayor, Aldermen, and Commons in Common Council assembled, should be empowered to raise for these Purposes the Sum of Five thousand Pounds, upon the Credit of the said Fund called *The Orphans Fund*; but inasmuch as the Improvement and Purposes aforesaid cannot be effected without the Aid and Authority of Parliament:

The public
Uses to which
Moorfields is
subject, to
cease.

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 immediately after the passing of this Act, all and singular the common, public, and other Uses, Trusts, and Purposes and Restrictions from being built upon, to which the said Fields or Moors, called the *Inward Moor* and *Outward Moor*, are now subject by virtue of the said Letters Patent, or by Law, Prescription, or Usage, or otherwise howsoever, shall cease, determine, and be utterly void, to all Intents and Purposes whatsoever; and that the same Fields or Moors, called the *Inward Moor* and *Outward Moor*, shall, from and after the passing of this Act, be fully and absolutely vested in the said Mayor and Commonalty and Citizens, and their Successors, for the Purposes herein-after mentioned.

Corporation
empowered to
grant Building
Leases.

II. And be it further enacted, That it shall and may be lawful to and for the said Mayor and Commonalty and Citizens of the said City of *London*, and they are hereby authorized and required, as soon as conveniently may be after the passing of this Act, by an Indenture or Indentures under their Common Seal, to demise and lease all the said Fields or Moors, called the *Inward Moor* and *Outward Moor*, (except such Parts thereof as shall be set out and appropriated for Streets or Ways, or other public Purposes, or for securing a free Circulation of Air,) either altogether or in Parcels, to any Person or Persons who shall erect and build, or covenant and agree to erect and build on the same, such Houses, Erections, and Buildings, of such Rate or Class, or respective Rates or Classes of Buildings, upon such Plan and Elevation, or respective Plans and Elevations, of such Height or respective Heights, and with such Stories, and to lay out and appropriate such Part of the Premises to be comprised in any such Demise or Lease, as and for a Yard or Yards, Garden or Gardens, to any House or Houses, or other Buildings, or for a Way or Ways, Sewer or Sewers, for the Convenience of the Lessee or Lessees, or other Tenants or Occupiers of the same Premises, as the said Mayor, Aldermen, and Commons, in Common Council assembled, shall fix and agree upon, and shall be mentioned in such Demise or Lease respectively for any Term or Number of Years, to determine within Ninety-nine Years from and after the passing of this Act, so as there be reserved in every such Demise or Lease such yearly Rent or Rents, to be incident to the immediate Reversion of the Premises therein comprised, as to the said Mayor, Aldermen, and Commons, in Common Council assembled, shall appear reasonable; so that in every such Demise or Lease there be contained a Covenant for the Payment of the Rent thereby to be reserved, and such other Covenants, on the Part of the Tenant or Lessee, therein to be named, as the said Mayor, Aldermen, and Commons, in Common Council assembled, or their Counsel in the Law, shall reasonably advise or require; and also a Clause in the Nature of a Condition of Re-entry on Non-payment of the Rent thereby to be reserved, or on Non-performance of the Covenants therein to be contained, on the Part of the Tenant or Lessee to be observed and performed; and that every such Tenant or Lessee shall give such good and sufficient Security for the erecting, finishing, and completing of every House, Erection, and Building which he shall covenant or agree to erect within the Time in which he shall have contracted to finish the same, as the

the said Mayor, Aldermen, and Commons, in Common Council assembled, shall order and direct.

III. And be it further enacted, That as soon as conveniently may be after the Houses, Erections, and Buildings to be erected and built, as herein-before is mentioned, or any of them, shall be finished and completed, the said Mayor, Aldermen, and Commons, in Common Council assembled, shall, and they are hereby authorized to sell and dispose of, or cause to be sold and disposed of, the Ground Rents to be reserved by the Lease or Demise, or Leases or Demises, in pursuance of, or in Consideration of which, the same Houses respectively shall have been erected and built, and also the Reversion and Inheritance thereof in Fee Simple in Possession, (subject to such Lease or Demise, or Leases or Demises,) of the Pieces or Parcels of Ground therein demised, and such Houses and other Buildings thereon, either altogether or in Parcels, by public Auction or private Contract, to any Person or Persons, for such Price or Prices, or Sum or Sums of Money as they the said Mayor, Aldermen, and Commons, in Common Council assembled, shall think reasonable; and the said Mayor and Commonalty and Citizens shall, and they are hereby empowered and required, at the Request, Costs, and Charges of the Purchaser or Purchasers of the same Premises respectively, upon Payment of the Sum or Sums of Money agreed to be given for the same respectively to the Chamberlain for the Time being of the said City of London, to convey and assure the Piece or Parcel of Ground, or Pieces or Parcels of Ground so purchased by such Purchaser or Purchasers respectively, together with the Houses, Erections, and Buildings then erected and built thereon respectively, and the Fee Simple and Inheritance thereof, with the Appurtenances to such Purchaser or Purchasers respectively, his or their Heirs and Assigns respectively, or as he or they respectively shall in that Behalf order or direct, free from all Incumbrances whatsoever, (except the Building Lease or Leases to be granted thereof by virtue of this Act;) and that upon and after Payment of the Purchase Monies of the said Premises respectively into the Chamber of the said City, the Receipt or Receipts in Writing of the said Chamberlain of the said City, for the Time being, or his known Deputy or Clerk, shall be a sufficient and effectual Discharge, or sufficient and effectual Discharges to such Purchaser or Purchasers, for the Purchase Monies in such Receipt or Receipts expressed or acknowledged to be received, and that the Purchaser or Purchasers to whom the same respectively shall be given, shall not afterwards be answerable or accountable for the Misapplication, or Non-application, or be in anywise obliged to see to the Application of the Money in such Receipt or Receipts respectively acknowledged to be received.

Common Council empowered, when the Houses respectively are built and finished, to sell the Ground Rents and Reversions.

IV. And be it further enacted, That all and every the Sum and Sums of Money which shall be received by the said Chamberlain from the Sales herein-before directed to be made, and also the Rents (if any) which shall be received from the said Pieces or Parcels of Ground to be demised as aforesaid, or any of them, until the same shall be sold, shall (after Payment thereof of the Costs and Expences of the said Sale or Sales which are hereby directed to be paid thereof) be applied towards the Increase of, and is hereby declared to be Part of the said Fund called *The Orphans Fund*, and shall be paid and appropriated accordingly.

Application of Purchase Money.

300l. per
Annum to be
paid to the
Vicar of the
Parish of St.
Stephen Cole-
man Street.

V. And whereas, in consequence of the great Increase of Inhabitants in the said Parish of *Saint Stephen Coleman Street*, which will be occasioned by the Erection of new Houses and other Buildings in pursuance of this Act, the Duties of the Vicar of the said Parish will be increased in a considerable Degree, and it is therefore expedient that a proper Compensation should be made for the Trouble and Pains which such Vicar will be put unto by such Increase of Duties: And whereas the present Inhabitants and Parishioners of the said Parish, at a Vestry Meeting held for that Purpose on the Eighteenth Day of *April* One thousand eight hundred and twelve, entered unanimously into a Resolution, that they were willing to pay, and continue to pay exclusively, the Sum of Two hundred Pounds *per Annum*, in lieu of Tithes, agreeable to an Act made in the Forty-fourth Year of the Reign of His present Majesty, intituled *An Act for the Relief of certain Incumbents of Livings in the City of London*, in case the Inhabitants who might thereafter occupy Houses and other Buildings to be erected upon the said Fields or Moors, called the *Inward Moor* and *Outward Moor*, and the Site of *Bethlem Hospital*, be subjected by Act of Parliament to the Payment of a separate or additional Sum of Three hundred Pounds *per Annum*, for the better Support of the present and all future Incumbents of the said Living; be it therefore enacted, That the Vicar for the Time being of the said Parish, over and above the Yearly Sum in lieu of Tithes, to which he is now entitled by virtue of the said Act of the Forty-fourth Year of the Reign of His present Majesty, shall have and receive the additional Annual Sum of Three hundred Pounds, and that the same Annual Sum of Three hundred Pounds shall be payable out of and assessed upon all and singular the new Houses and Buildings which shall be erected upon the said Fields or Moors, called the *Inward Moor* and *Outward Moor*, or such Part thereof as is within the said Parish, and upon a certain Piece of Ground situated between the said Fields or Moors, called the *Inward Moor* and *Outward Moor*, and *London Wall*, now or late the Site of *Bethlem Hospital*; and such Assessments may be altered and appealed against in the same Manner, and with the same Directions concerning, and Provisions for compelling Payment of the same, as the Sum of Two hundred Pounds now payable to the said Vicar by virtue of the said Act in lieu of Tithes, is paid and assessed out of and upon the Houses and other Buildings now erected and built in the said Parish: Provided always, that no Part of the Sum now payable in lieu of Tithes to the Vicar of the said Parish by virtue of the said Act, shall be payable out of and assessed upon the said new Houses and other Buildings to be erected as aforesaid; and that no Part of the said Annual Sum of Three hundred Pounds, by this Act made payable, shall be payable out of or assessed upon any Houses or Buildings now erected and built, or hereafter to be erected and built in the said Parish, except such as shall be erected or built on the said Fields or Moors, called the *Inward Moor* and *Outward Moor*, and upon the said Ground between the said Fields or Moors, called the *Inward Moor* and *Outward Moor*, and *London Wall* aforesaid.

In what Man-
ner the new
Houses are to
be charged
with such
Sum,

VI. And be it further enacted, That from Time to Time, when and so soon as each and every of the said intended Houses which shall be erected on the said Fields or Moors, called the *Inward Moor* and *Outward Moor*, or such Part thereof as is within the said Parish, and on the Ground between the said Fields or Moors, called the *Inward Moor* and *Outward Moor* and *London Wall* aforesaid, shall respectively be occupied and assessed

to

to the Poor Rate or other Parochial Assessments, such Part of the said Annual Sum of Three hundred Pounds shall be payable and paid out of and assessed upon such House respectively as is herein-after mentioned; (that is to say,) if such House respectively shall be of the First Rate or Class of Buildings, the annual Sum of Three Pounds Ten Shillings; if such House respectively shall be of the Second Rate or Class of Buildings, the annual Sum of Two Pounds Ten Shillings; and if such House respectively shall be of the Third Rate or Class of Buildings, the annual Sum of Two Pounds; and such respective annual Sums shall continue payable out of and assessed upon the Houses for the Time being respectively occupied and assessed as aforesaid, until the said respective annual Sums shall amount altogether to the annual Sum of Three hundred Pounds, or the Whole of the said Ground Rents and Reversions by this Act authorized and directed to be sold as herein-before is mentioned, shall have been sold and conveyed in pursuance of this Act (which shall first happen); and that the Whole of the said annual Sum of Three hundred Pounds by this Act made payable as aforesaid, shall not be paid or payable until the said respective annual Sums, Parts thereof directed to be paid as aforesaid, shall amount to the annual Sum of Three hundred Pounds, or all the Ground Rents and Reversions aforesaid shall be sold and conveyed in pursuance of this Act (which shall first happen); and that from and after such Time as the same respective annual Sums shall amount to the annual Sum of Three hundred Pounds, or all the said Ground Rents and Reversions shall be sold and conveyed as aforesaid, (which shall first happen,) the Whole of the said annual Sum of Three hundred Pounds shall be payable out of and assessed upon all and singular the Houses and Buildings which shall be erected as aforesaid, in the Manner and according to the Directions herein-before mentioned or referred to: Provided always, that nothing in this Act contained shall deprive the Occupiers of the Houses to be erected and assessed with the annual Sum as aforesaid, from the Right of being interested in the Advowson of the said Vicarage of *Saint Stephen Coleman Street*, or voting at the Election of a Vicar thereof, in the same Manner as the present Inhabitants of the said Parish.

VII. And whereas the said Mayor and Commonalty and Citizens are seized of, or well and sufficiently entitled to certain Buildings situate in the *Poultry*, in the City of *London*, which were lately used as and for One of the Compters of the City of *London*, and are now used as a Prison for the Confinement of certain Persons: And whereas the said Buildings are in a very ruinous State, and the said Compter has been removed, and it may be found unnecessary to continue the same as a Prison: And whereas the said Mayor and Commonalty and Citizens are willing and desirous, in case the same should be discontinued to be used as a Prison as aforesaid, to grant Building Leases of the Ground whereon the same are situate, and when Houses and Buildings shall have been erected and finished in pursuance of such Leases, to sell and dispose of the Ground Rents to be thereby reserved, and also the Reversion, Freehold, and Inheritance of the said Ground, and to dispose of the Money to be produced by such Sale or Disposition in Aid or Increase of the said Orphans Fund; be it therefore further enacted, That in case the said Buildings shall be discontinued to be used as a Prison as aforesaid, it shall be lawful for the said Mayor and Commonalty and Citizens, and they are hereby authorized and required to demise and lease the same unto such Person or Persons, in such Parcels

Directing the Sale of the Site of the *Poultry* Compter, and applying the Produce to the Credit of the Orphans Fund.

as

as they shall think proper, and to sell and dispose of, or cause to be sold or disposed of, the Ground Rents to be reserved by such Lease or Demise, or Leases or Demises, and the Reversion and Inheritance in Possession of the Pieces or Parcels of Ground therein respectively demised, at such Time or Times, and for such Price or Prices, or Sum or Sums of Money, and with such Power in the Chamberlain of the City of *London*, or his known Deputy or Clerk, to give Receipts, which shall be sufficient Discharges for the same, according to the Directions and in the Manner herein-before mentioned, contained, and appointed for demising, and leasing, and selling, or disposing of the Field or Moor herein-before mentioned, and that all and every the Sum and Sums of Money to be received by the said Chamberlain from the Sales lastly herein-before directed to be made, and the Rents, if any, to be received from the Ground to be demised as last afore-said, shall (after Payment thereof of the Costs and Expences of the said Sale or Sales which are hereby directed to be paid thereof) be applied in such or the like Manner as herein-before is directed concerning the Sums of Money and Rents first herein-before mentioned.

Common Council empowered to raise by Annuities the additional Sum of 5000l.

Contributors to be entitled to redeemable Annuities.

Bonds to be given for such Annuities.

The Orphans Fund charged with such Annuities.

VIII. And be it further enacted, That it shall and may be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, at any Time or Times after the passing of this Act, to borrow and raise by Annuities any Sum or Sums of Money not exceeding in the Whole the Sum of Five thousand Pounds, upon the Credit of the said Fund called *The Orphans Fund*, over and above the several Sums heretofore charged and now remaining due thereon; and all such Monies, so to be raised, shall be paid into the Receipt of the Chamber of the said City of *London*, by such Instalments, in such Proportions, at such Times, and in such Manner as the said Mayor, Aldermen, and Commons, in Common Council assembled, shall direct; and the Persons who shall contract to advance or contribute any Part of the said Monies shall, in respect of the Sums which they shall so respectively advance, be entitled to Annuities, at such Rate or Interest as the said Mayor, Aldermen, and Commons, in Common Council assembled, shall think reasonable; to commence from the Fifth Day of *July* One thousand eight hundred and twelve, to be payable Half Yearly, and to continue until Redemption thereof, by Payment of each respective Principal Sum.

IX. And be it further enacted, That the said Mayor, Aldermen, and Commons, in Common Council assembled, shall cause a Bond or Note, or other Security in Writing, under the Common Seal of the said City, to be delivered to any Person advancing any Part of the said Monies, for the Payment of such Annuities in respect thereof until redeemed, as is herein-after mentioned; which Bonds, Notes, or other Securities shall be assignable by Indorsement.

X. And be it further enacted, that the said Fund called *The Orphans Fund* shall be, and the same is hereby charged and made chargeable with the Annuities which shall be payable in respect of the said Sum of Five thousand Pounds, to be borrowed and raised by virtue of this Act, subject nevertheless and without Prejudice to the Payment of the several Annuities which are or shall be payable in respect of the several Principal Sums borrowed upon the Credit of the said Fund, by virtue of any Act or Acts of Parliament already passed and now in force.

XI. And

XI. And be it further enacted, That out of the future Surplusses of the said Orphans Fund, (after reserving so much Money as will be sufficient to satisfy the Interest payable from Time to Time to the Orphans and other Creditors of the said City, as also to satisfy the Annuities and Yearly Interest payable from Time to Time, in respect of the several other Principal Sums raised and borrowed by virtue and under the Authority of the several Acts of Parliament already passed for that Purpose; and now in force,) the Annuities payable and to be paid in respect of the said Sum of Five thousand Pounds authorized and directed to be raised and borrowed under and by virtue of this Act, shall be paid from Time to Time, as the same shall grow due, before any Part of such Surplusses shall be applied in Redemption of the Annuities, and the Payment of the Principal Monies already charged upon the said Fund, and that the Residue of such Surplusses, after such Payments as by this Act or any other Act or Acts of Parliament already passed and now in force are directed to be made out of the same, shall be paid and satisfied, shall, from Time to Time, by Order of the Court of Mayor and Aldermen of the said City of *London*, (which Orders the said Court are hereby authorized and directed to make,) or by the Chamberlain of the said City for the Time being, applied towards the Redemption of all and singular the Annuities payable in respect of the said Sum of Five thousand Pounds, by this Act charged on the said Fund, in such Order and Course as the said Court of Mayor and Aldermen shall think fit.

Future Surplusses of the said Fund how to be employed.

XII. And be it further enacted, That the Court of Mayor and Aldermen of the said City of *London* shall give, or cause to be given, Notice in the *London Gazette* of the Intention to redeem such Annuities as shall by virtue of this Act be granted in respect of the said Sum of Five thousand Pounds, and shall annex to such Notice a Copy of this present Clause; and at the End of Six Calendar Months next after such Notice, upon Payment or Tender of the respective Sums for which such Annuities shall have been granted, together with a proportionate Part of the same Annuities respectively, up to the Days of such Payment or Tender, to or for the Person or Persons then entitled thereto, at the Office of the Chamberlain of the said City for the Time being, in the Guildhall of the same City, the Annuity or Annuities payable to such Person or Persons respectively shall cease and determine: Provided nevertheless, that such Person or Persons, at any Time after such Notice shall have been given as aforesaid, and before the End of the said Six Calendar Months, shall, at the Expiration of Ten Days next after a Declaration in Writing of his, her, or their Intention to receive the same shall have been delivered at the said Office, (such Declaration being delivered between the Hours of Ten in the Morning and Two in the Afternoon,) be paid at the said Office, the Sum or Sums for which such Annuity or Annuities respectively shall have been granted, together with a proportionate Part of the same Annuity or Annuities respectively, up to the Day expressed in such Declaration for receiving the same, and such Annuity or Annuities respectively shall, upon the Day specified in such Declaration for Payment, cease and determine.

Upon Notice of Redemption of the Annuities and Tender of the Monies, Annuities to cease.

XIII. Provided always, and be it further enacted, That if the Surplusses of the said Fund charged with the Annuities which shall be payable by virtue of this Act, in respect of the said Sum of Five thousand Pounds,

Deficiencies to be paid out of the Chamber of London.

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shall

shall at any Time hereafter prove insufficient to pay the same, then and in every such Case, and so often as the same shall happen, the Sum which shall be wanting to complete the Payment of such Annuities shall be advanced and paid out of the Chamber of the said City, and be made good and supplied out of the future Surplusses of the said Fund.

Application of the 5000^l. (after paying the Expences of this Act) to raise the Surface and set out and improve the Streets, &c.

XIV. And be it further enacted, That the said Sum of Five thousand Pounds, or so much thereof as shall be so raised as aforesaid, (after Payment thereof of the Expences of obtaining and passing this Act, and which Expences it shall be lawful to retain and pay accordingly.) shall be applied for or towards the Costs and Expences of raising the Surface of the said Fields or Moors, called the *Inward Moor* and *Outward Moor*, and setting out and improving such Parts thereof as shall be appropriated for Streets or Ways, or for securing a free Circulation of Air as aforesaid; and that if any Surplus shall remain of the Money to be raised as aforesaid, after answering and satisfying the Purposes aforesaid, the same shall go and be applied in or towards the Increase of the said Fund called *The Orphans Fund*.

Securities to be entered in Books.

XV. And be it further enacted, That the Chamberlain of the said City for the Time being shall enter, in a Book or Books to be kept for that Purpose, all Securities for Monies borrowed, or Annuities granted, in pursuance of this Act, and all Assignments and Transfers thereof, expressing in Words at length the Names, Surnames, Additions, Places of Abode, and other Descriptions of all such Persons as shall from Time to Time be entitled to such Securities, and the Sums received upon such Securities, and the Days when the said Annuities respectively shall be payable; to which Books all and every Person and Persons entitled to, or interested in such Annuities shall, at all reasonable Times in the Day-time, have Access, with free Liberty to inspect the same without Fee or Reward.

Chamberlain to keep Accounts of Receipts and Disbursements.

XVI. And be it further enacted, That from Time to Time there shall also be provided and kept by the Chamberlain of the said City for the Time being, One or more Book or Books, in which all the Monies which by virtue of this Act shall be raised or borrowed upon the Credit of the said Fund shall, from Time to Time, as the same shall be received, be entered and set down; and wherein also all the Monies to be paid and disbursed out of the Monies to be received shall, from Time to Time, be entered and set down, and such Entry shall express the Time when, the Occasions for which, and the Names of the Persons to whom the same shall be so paid.

Common Council to appoint Officers.

XVII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Mayor, Aldermen, and Commons, in Common Council assembled, and they are hereby authorized and empowered respectively, from Time to Time, to nominate and appoint such and so many Clerks and other Officers under them, as shall be necessary to be employed in or about the Execution of all or any of the Purposes aforesaid, and out of the said Monies to be raised by virtue and in pursuance of this Act to make such Allowances to the said Clerks and Officers respectively, for the Care and Pains in the Execution of their respective Offices, as they shall think reasonable, any Thing herein-before contained to the contrary thereof in anywise notwithstanding.

XVIII. And

XVIII. And be it further enacted, That if the Purchase Monies, and Rents of the said Ground so to be leased and sold as aforesaid, or the said Sum of Five thousand Pounds, or any Part thereof, shall happen to be misapplied, or converted to any other Use than as aforesaid, by the said Mayor, Aldermen, and Commons, in Common Council assembled, by the said Mayor and Commonalty and Citizens of London, for the Time being, or any of their Officers, or any other Person or Persons acting under Colour of any Warrant, Power, or Authority, by, from, or under them respectively, then and in such Case the said Mayor and Commonalty and Citizens shall be answerable for the same out of the Revenues of the said Corporation, in any Action to be brought by any of the said Creditors, their Executors, Administrators, or Assigns, which said Sum and Sums so recovered, shall be applied to the same Uses as the same Sums (if not misapplied) should or might have been, except that the Costs of Suit shall be deducted and retained thereout in the First Place for the Benefit of him, her, or them so suing.

City answerable in case of any Misapplication.

XIX. And be it further enacted, That in the Annual Account, in and by the said Act of the Seventh Year of His present Majesty, directed to be by the Chamberlain of the said City of London for the Time being laid before each House of Parliament, as by the same Act is directed, shall be included an Account of the Disbursements of the said Sum of Five thousand Pounds, or of so much thereof as shall then have been raised and borrowed.

Disbursements to be included in the Chamberlain's Annual Accounts.

XX. Provided also, and be it further enacted, That nothing in this Act contained shall extend to lessen or affect the Security of any of the present Creditors of the said Mayor and Commonalty and Citizens further or otherwise than is herein expressly directed and enacted.

Act not to affect the City's present Creditors.

XXI. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance or under Colour of this Act, until Fourteen Days Notice shall be thereof given in Writing to, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Three Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits shall be so brought; and every such Action shall be brought, laid, and tried in the City or County where the Cause of Action shall arise, and not elsewhere, and that the Defendant or Defendants in such Actions or Suits, and every of them, may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Actions, Suit or Suits shall be so brought, was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before Fourteen Days Notice given as aforesaid, and that a sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants therein; and if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuited, or suffer a Discontinuance thereof, or if Judgement shall be given for the Defendant or Defendants therein,

Limitation of Actions.

General Issue.

Treble Cofts. then and in any of the Cafes aforefaid fuch Defendant or Defendants fhall have Treble Cofts, and fhall have fuch Remedy for recovering the fame as any Defendant or Defendants hath or have for Cofts in other Cafes by Law.

Public Act. XXII. And be it further enacted, That this Act fhall be deemed and taken to be a Public Act, and fhall be judicially taken Notice of as fuch by all Judges, Juftices, and other Perfons, without being fpecially pleaded.

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