ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

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Plan aforeſaid; but the ſame cannot be properly done without further Proviſions are made for defraying the Expence of making ſuch Improvements, and keeping, continuing, and preſerving the ſame when made, and the Walls, Railing, Gates, Lamp Irons, Graſs Plot, Walks, and other Ornaments, Matters, and Things belonging thereto, in good and ſufficient Repair, Order, and Condition: And inaſmuch as the ſame cannot be effected 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 the Conſtable and Chief Governor of His Majeſty's Tower for the Time being, and the Lieutenant, Deputy Lieutenant, and Major thereof for the Time being, the Maſter and Deputy Maſter, the Four Wardens and their Deputies, and the Secretary or Chief Clerk and his Deputy for the Time being, of the Guild, Fraternity, or Brotherhood of the Moſt Glorious and Undivided Trinity, and of *Saint Clement*, in the Pariſh of *Deptford Strond*, in the County of *Kent*, the Aldermen for the Wards of *Tower* and *Aldgate*, in the City of *London*, and their reſpective Deputies for the Time being, *Samuel Wyatt* Architect, aforeſaid, and all Perſons being Occupiers of Houſes or other Premiſes who are or ſhall be liable to be aſſeſſed to the Rates hereby authorized to be impoſed to the Amount of Twenty-five Pounds *per Annum*, ſhall be Truſtees for putting this Act into Execution; and when any of the Truſtees who are ſuch in reſpect of Occupancy ſhall die, or ſhall ceaſe to be Occupiers of ſuch Houſes as aforeſaid, or by Writing under their Hands, addreſſed to the Clerk of the ſaid Truſtees, ſhall refuſe to act as Truſtees as aforeſaid, then and in either of the ſaid Caſes the remaining Truſtees, or any Five or more of them, at any Meeting to be held for that Purpoſe (whereof Three Days Notice at leaſt ſhall be previouſly given by Advertiſement inſerted in ſome Daily Newſpaper circulated in the City of *London*) ſhall and may elect and chooſe ſome fit Perſon, being rated, or liable to be rated, as aforeſaid, to ſupply the Place of ſuch Truſtee who ſhall ſo die, or diſqualify, by ceaſing to be ſuch Occupier as aforeſaid, or ſhall refuſe to act in the Truſt aforeſaid; and all Perſons being ſo qualified, and who ſhall be elected and choſen as aforeſaid, are hereby veſted with the ſame Powers for putting this Act in Execution as the Perſons in whoſe Stead they ſhall be elected and choſen were veſted with.

Truſtees.

II. And be it further enacted, That if any Perſon who would otherwiſe be entitled to act as a Truſtee by virtue of this Act, ſhall accept of any Office under the Truſtees, or enter into any Contract, or have any Share or Intereſt in any Contract relating to the Execution of any of the Powers or Purpoſes of this Act, or ſhall keep any Tavern or Publick Houſe, every ſuch Perſon ſhall, during his Continuance in ſuch Office or Trade, or for the Term of any ſuch Contract he may enter into, be diſqualified and diſabled from acting in the ſaid Truſt; and if any Perſon ſo diſqualified ſhall nevertheleſs preſume to act as a Truſtee, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Fifty Pounds nor leſs than Twenty-five Pounds, to any Perſon or Perſons who ſhall inform or ſue for the ſame, to be recovered, with full Coſts, in any of His Majeſty's Courts of Record, by Action of Debt, or on the Caſe, or by Bill, Plaint, Suit, or Information, wherein

Truſtees holding any Office under Truſtees, or being concerned in Contracts, diſqualified.

no Eſſoin, Protection, Wager of Law, or more than One Imparlance, ſhall be allowed.

First Meeting of Truſtees.

III. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall meet together at the *King's Head Tavern*, at the Corner of *Tower Street*, on or near *Tower Hill* aforeſaid, on the Firſt *Monday* after this Act ſhall receive the Royal Aſſent, and proceed in the Execution of this Act; and ſhall then, and from Time to Time afterwards, adjourn themſelves, and meet at the Place aforeſaid, or any other Place or Places within a convenient Diſtance from *Great Tower Hill* aforeſaid, as often as they ſhall think proper and neceſſary for putting this Act in Execution; and in caſe Five Truſtees ſhall not attend on ſuch Day as aforeſaid, it ſhall be lawful for ſuch of them as ſhall be then preſent to adjourn ſuch Meeting to any future Day, not exceeding Five Days from the Day appointed for holding ſuch Meeting, and ſo from Time to Time until Five Truſtees ſhall attend to hold ſuch Firſt Meeting; and if at any ſubſequent Meeting there ſhall not appear a ſufficient Number of Truſtees to act and to adjourn, or in caſe the Truſtees at any Time aſſembled ſhall omit or neglect to adjourn themſelves, then the Clerk to the ſaid Truſtees ſhall ſummon the Truſtees to meet at the Place where the laſt Meeting was held, or appointed to be held, as the Caſe may be, within Ten Days next after the Day on which ſuch Meeting was held or appointed to have been held, and ſo from Time to Time until a ſufficient Number of Truſtees ſhall meet, agreeably to the Directions of this Act; and the ſaid Truſtees ſhall at all their Meetings bear and pay their own Expences.

Truſtees may appoint Officers.

IV. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall and may, from Time to Time, appoint a Treaſurer, Clerk, Collector of the Rates, and ſuch other Officers as they ſhall think neceſſary for the better carrying this Act into Execution, and ſhall take ſuch Security from ſuch Treaſurer and Collector as they ſhall think proper; and ſhall and may, from Time to Time, diſcharge all of any ſuch Officer or Officers, and appoint others in the room of ſuch of them as ſhall be ſo diſcharged, or ſhall die; and out of the Monies ariſing by virtue of this Act, ſhall and may pay ſuch Salaries, and make ſuch Allowances as they ſhall judge reaſonable, to the ſeveral Officers ſo appointed, in Conſideration of his and their Office and Offices reſpectively, and to ſuch other Perſon or Perſons as ſhall be aiding and aſſiſting in and about the Execution of this Act; and all the Powers and Authorities by this Act veſted in the ſaid Truſtees, ſhall and may, from Time to Time, be determined by the major Part of the Truſtees who ſhall be preſent at any Meeting, provided the Number of Truſtees then preſent be not leſs than Five; and whenever it ſhall happen that the Number of Votes upon any Queſtion ſhall be equal, the Chairman ſhall have the caſting Vote, and all Orders and Proceedings ſo determined, ſhall have the ſame Force and Effect as if aſſented to by the whole Number of Truſtees then preſent; and all the Orders and Proceedings of the ſaid Truſtees at their Meetings ſhall be entered in a Book or Books to be kept for that Purpoſe, and ſhall, at the next Meeting, be ſigned by the Chairman, and being ſo ſigned, ſhall be deemed and taken to be Originals, and that ſuch Book or Books ſhall belong to, and be veſted in the ſaid Truſtees for the Time being, and every ſuch Book or Books ſhall and

Not leſs than Five Truſtees to act.

If Votes equal, the Chairman to have the caſting Vote.

Proceedings to be entered in a Book.

may be produced and read in Evidence in all Courts whatſoever; and no Order or Proceeding of the ſaid Truſtees in the Execution of this Act, ſhall be valid unleſs done or made at ſome Meeting to be held in purſuance of this Act.

Truſtees in the Commiſſion of the Peace may act as Juſtices, &c.

V. And be it further enacted, That all ſuch Truſtees as are or ſhall be Juſtices of the Peace, may act as Juſtices in all Matters under the Authority of this Act, notwithſtanding their being Truſtees; and that in all Caſes where any Juſtice or Juſtices of the Peace is or are authorized by this Act to examine any Perſon or Perſons on Oath or Affirmation, it ſhall be lawful for ſuch Juſtice or Juſtices, and he and they is and are hereby required to adminiſter ſuch Oath, or take ſuch Affirmation; and that in all Caſes where any Parties, Witneſſes, Officers to Truſtees, or other Perſons, are to be heard or examined, by, before, or in the Preſence of the ſaid Truſtees, in any Caſe, Matter, or Thing, relating to this Act, it ſhall be lawful for ſuch Truſtees to adminiſter an Oath to, or to take the Affirmation of ſuch Parties, Witneſſes, or Perſons.

Four Parts of the Plan to be authenticated by the Speaker of the Houſe of Commons.

VI. And be it further enacted, That there ſhall be Four Parts made of the ſaid Plan which has been made by *Samuel Wyatt* as aforeſaid, and the ſaid Four Parts ſhall be certified by the Right Honourable the Speaker of the Houſe of Commons, and ſeverally depoſited One with the Keeper of the Records in the Tower of *London*, One in the Office of the Town Clerk of the City of *London*, One with the Clerk or Treaſurer, or ſome other Officer belonging to the ſaid Truſtees for the Time being, as the ſaid Truſtees, or any Five or more of them, ſhall appoint, and the other of ſuch Plans with the Secretary or Chief Clerk of the Corporation of the Trinity Houſe aforeſaid, to all which Plans all Perſons ſhall have Liberty to reſort, and to inſpect the ſame as Occaſion ſhall require, paying to the Perſon or Perſons producing the ſame the Sum of Two Shillings and Sixpence for every ſuch Inſpection; and the ſaid Plans ſo certified, or true Copies thereof, ſhall be, and are hereby declared to be good Evidence in all Courts of Law or elſewhere.

Power of improving, &c. *Great Tower Hill*, within certain Limits, veſted in the Truſtees.

VII. And be it further enacted, That the ſole Power of forming, improving, and laying out *Great Tower Hill*, within the Limits hereinafter deſcribed, (that is to ſay), from the Weſt End of *Poſtern Row*, by the Outſide of the Foot Pavement, Northward to the South End of *Cooper's Row*, and from thence by the Outſide of the Foot Pavement to be made before the intended Incloſure in the Front of the Trinity Houſe, to the Entrance into *Muſcovey Court*, and from thence by the Outſide of the Foot Pavement running Southward by the End of *Barking Alley*, to the North-eaſt End of *Tower Street*, and from thence Eaſtward in the Line of the preſent Bar to Tower Ditch, and from thence by the Side of the ſaid Ditch to the Weſt End of *Poſtern Row* aforeſaid; and alſo of maintaining and keeping the ſaid Hill, within the Limits aforeſaid, with the Railing and Fencing, and other Things thereto belonging, in proper Repair, Order, and Condition as aforeſaid, ſhall be, and the ſame is hereby veſted in the ſaid Truſtees; and it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby empowered and required to cauſe the ſaid Hill, within the Limits aforeſaid, to be laid out and improved, according to the ſaid Plan, ſo to be certified as aforeſaid, or as near thereto as Circumſtances will admit of,

and to cauſe the Hill as aforeſaid, or ſuch Part or Parts thereof as ſhall be neceſſary and proper, to be paved or laid with Stone, Gravel, or other Materials, as they may from Time to Time think proper; and the ſaid Truſtees, or any Five or more of them, are hereby authorized and empowered, by their Workmen and Servants, to cauſe the Carriage Ways of the ſaid Hill to be raiſed, lowered, levelled, or altered in ſuch Manner as they ſhall think fit; and that the ſole Power of lighting and watching the ſaid Hill, within the Limits aforeſaid, ſhall be, and the ſame is hereby veſted in the ſaid Truſtees, and that they, or any Five or more of them, ſhall and may order Lamps to be ſet up, to be uſed for lighting the ſame, and ſuch Lamps to diſplace or remove from Time to Time as they ſhall ſee Occaſion, and cauſe ſome proper Place or Places within or near the ſaid Hill to be ſet up or made for the Reception of the Watchmen to be appointed by the Authority of this Act, and may cauſe to be ſet up or made ſuch and ſo many convenient Boxes or Stands for ſuch Watchmen in and about the ſaid Hill, within the Limits aforeſaid, as they ſhall think proper, and alſo may cauſe Lamp Poſts and Irons to be ſet up or affixed as they ſhall think fit, and may direct ſuch Number of Watchmen as they ſhall judge neceſſary to be employed, and nominate and appoint ſuch honeſt and able-bodied Men to that Service, as they ſhall think well qualified for the ſame, and make and give all ſuch Orders and Regulations relative to ſuch Watchmen, Lamps, Watch-houſes, Boxes, Stands, Lamp Irons, and all other Requiſites which they, or any Five or more of them, may think proper to provide for the due Execution of this Act, as they ſhall think uſeful or convenient.

Power of lighting and watching veſted in Truſtees, who may put up Lamps, Watch-houſes, Boxes, &c.

VIII. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall have Power to cauſe the ſaid Hill, within the Limits aforeſaid, to be cleanſed, and alſo to be watered, as often as they ſhall think fit, and alſo to cauſe any Well or Wells to be dug or ſunk in ſuch Places as they ſhall think proper (ſo as the ſame do not interfere with or affect the Publick Sewers, or Drains or Watercourſes, and ſo as no Vault, Cellar, or other Building be thereby deſtroyed or damaged), and alſo any Pump or Pumps to be erected in or near ſuch Places, for the Purpoſe of cleanſing or watering the ſaid Hill.

For cleanſing and watering the Hill.

IX. Provided always, and be it further enacted and declared, That nothing herein contained ſhall extend, or be conſtrued, deemed, or taken to extend, to impair, alter, affect, or prejudice the Right or Title of His Majeſty, His Heirs and Succeſſors, or His or their Officers or Miniſters, or of the Mayor and Commonalty and Citizens of the City of *London*, and their Succeſſors, or any of them, claiming Right in or to *Great Tower Hill*, within the Limits herein-before mentioned and intended by this Act to be improved, for any publick Purpoſes for which the ſame, or any Part thereof, hath been at any Time heretofore uſed, or otherwiſe, but that ſuch Right and Title ſhall continue as if this Act had never been made; any Thing in this Act contained to the contrary thereof in anywiſe notwithſtanding.

Reſerving the King's Right, and alſo the Right of the City of *London*, to *Tower Hill*.

X. And be it further enacted, That the Property in the Pavements, Lamps, Lamp Irons, Iron and other Rails and Gates, Iron, Timber, Stone, Furniture, Pumps, Poſts, and all other Materials and Things which ſhall be laid down, ſet up, or uſed, in making the ſaid Improvements,

Materials veſted in Truſtees.

ments, and all Trees, Shrubs, and Things upon the ſaid Hill, within the Limits aforeſaid, and alſo all Watch Houſes, Watch Boxes, Stands, or Places for the Reception of Watchmen, and all Materials and other Things which are, ſhall, or may be purchaſed, gotten, provided, or made uſe of for the ſeveral Purpoſes of this Act, ſhall be, and the ſame are hereby veſted in the ſaid Truſtees for the Time being, and may be ſold or otherwiſe diſpoſed of from Time to Time as they, or any Five or more of them, ſhall think proper, and the Monies ariſing by ſuch Sale or Sales ſhall be applied towards the Purpoſes of this Act; and the ſaid Truſtees, or any Five or more of them, are hereby authorized and empowered to bring, or cauſe to be brought, any Action or Actions in the Name or Names of any One or more of them, or in the Name of their Clerk or Treaſurer, or to prefer, or order and direct the preferring any Bill or Bills of Indictment againſt any Perſon or Perſons who ſhall ſteal, take, or carry away all or any Part of ſuch Pavements, Lamps, Lamp Irons, Iron and other Rails and Gates, Iron, Timber, Stone, Furniture, Pumps, Poſts, Watch Houſes, Watch Boxes, Stands, Materials, or Things, or any of the Works which ſhall be carrying on, made, done, or executed upon the ſaid Hill in purſuance of this Act, or any Parts or Part thereof; and if any Perſon or Perſons ſhall wilfully or maliciouſly break, pull down, deſtroy, or otherwiſe injure, damage, or ſpoil any of ſuch Pavements, Lamps, Lamp Irons, Iron and other Rails and Gates, Iron, Timber, Stone, Furniture, Pumps, Poſts, Watch Houſes, Watch Boxes, Stands, Materials, and Things aforeſaid, or any of the Works which are or ſhall be carrying on, made, done, or executed upon the ſaid Hill in purſuance of this Act, or extinguiſh the Light of any Lamp ſet up by virtue of this Act, every Perſon ſo offending ſhall for the Firſt Offence forfeit any Sum not exceeding Forty Shillings nor leſs than Ten Shillings, and for the Second, and every other Offence, any Sum not exceeding Three Pounds nor leſs than Twenty Shillings, and ſhall alſo make full Satisfaction to the ſaid Truſtees for any Damage done by him, her, or them as aforeſaid.

Truſtees may contract for paving, &c.

XI. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, are hereby authorized and empowered from Time to Time to contract or agree with any Perſon or Perſons for paving the ſaid Hill, within the Limits aforeſaid, and keeping the ſaid Pavements, or any Part thereof in Repair, and for fencing, laying out, planting, and improving the ſaid Hill, and for maintaining, keeping, improving, and ſupporting the ſame, or for doing any other Matter or Work to be done in the Execution of this Act, all which Contracts ſhall ſpecify the ſeveral Works to be done, and the Prices to be paid for the ſame, and the Time or Times when the ſaid Work ſhall be completed, and the Penalties to be ſuffered in caſe of Non-performance thereof, and all ſuch Contracts ſhall be ſigned by the ſaid Truſtees, or any Five or more of them, and alſo by the Perſon or Perſons contracting to perform ſuch Works reſpectively; and in caſe ſuch Works ſhall not be well and ſufficiently performed, according to the true Intent and Meaning of ſuch Contracts reſpectively, or if ſuch Works ſhall not be finiſhed and completed at or within the Time or Times therein for that Purpoſe mentioned, then and in any or either of the ſaid Caſes the ſaid Truſtees, or any Five or more of them, ſhall and may, in their own Names, or in the Name of their Treaſurer or Clerk for the Time being, bring an Action

Action of Debt in any of His Majesty's Courts of Record at *Westminster*, against any Person or Persons so contracting, and neglecting to perform any such Contract or Contracts, and for any Penalty or Penalties which shall be contained in such Contract or Contracts, and on proving the signing the said Contract or Contracts, and Non-performance thereof, or any Part thereof, the said Trustees shall be entitled to, and shall recover the Penalty or Penalties therein mentioned, and the same, when recovered, shall be applied for the Purposes of this Act.

Trustees may compound for Penalties.

XII. Provided always, That the said Trustees, or any Five or more of them, may compound and agree with any Person or Persons for any Penalty or Penalties contained in any such Contract or Contracts for the Breach or Non-performance thereof, for such Sum or Sums of Money as they shall think proper, so that the Composition be not less than the Injury or Damage sustained by the Breach or Non-performance of such Contract or Contracts, and the Charges and Expences which shall be occasioned thereby.

For preventing Annoyances.

XIII. And be it further enacted, That if any Person or Persons shall cause any Annoyance or Nuisance within the Limits of this Act, either by beating or dusting of Carpets, or laying or casting any Filth, Ashes, Dust, or Rubbish therein, or in any other Manner whatsoever, or if any Person shall, for the Purpose of breaking Horses, or airing or exercising any Horses, drive any Carriage, or ride or lead any Horse or Horses upon the said Hill, within the Limits aforesaid, (otherwise than by passing through the same), he, she, or they, shall, for every such Offence, forfeit any Sum not exceeding Forty Shillings nor less than Twenty Shillings.

Trustees may alter the Position of Pipes.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, from Time to Time to raise, sink, or otherwise alter, the Position of any Water Pipe or Main, laid down or placed by any Water Company for the Purpose of conveying Water along the said Hill, within the Limits aforesaid, or to raise, sink, or otherwise alter, the Position of any of the Leaden or other Pipes laid down or placed for the Purpose of conveying Water through the said Hill into any House, Area, or other Place; and that all Expences attending the same shall from Time to Time be defrayed by the said Trustees, out of any Money arising by virtue of this Act.

Water Pipes may be repaired in certain Cases.

XV. And be it further enacted, That when and as often as any such Water Pipes or Mains, or any such Leaden or other Pipes as aforesaid, shall happen to burst within the said Limits, the Water Company to whom such Water Pipes or Mains, or Leaden or other Pipes belong, is hereby required, within Twenty-four Hours next after Notice given to such Water Company, or their Pavior, by any One of the said Trustees, or their Clerk or other Officer, to cause the same to be repaired; and if the same shall not be repaired within the said Space of Twenty-four Hours after such Notice given, it shall be lawful for the said Trustees, or any Five or more of them, to cause such Water Pipes or Mains, or Leaden or other Pipes, to be repaired, and all the Expences incurred thereby shall be reimbursed the said Trustees by the Water Company to whom such Water Pipes or Mains, or Leaden or other Pipes belong.

Truſtees may repair Pavements, &c.

XVI. And be it further enacted, That when and as often as any Part of the Pavement within the ſaid Limits ſhall be taken up for the Purpoſe of placing, altering, or repairing, any ſuch Water Pipes or Mains, or any ſuch Leaden or other Pipes laid down or placed for the Purpoſe of conveying Water into any Houſe, Area, or other Place as aforeſaid, ſuch Pavement ſhall be relaid by the Pavior employed by the ſaid Truſtees, and the Expence of relaying the ſame ſhall be reimburſed the ſaid Truſtees by the Water Company to whom ſuch Water Pipes or Mains, or Leaden or other Pipes belong.

To compound with Water Company for paving, &c.

XVII. Provided always, That the ſaid Truſtees, or any Five or more of them, may compound and agree with any of the Water Companies for a certain Sum of Money by the Foot, or other Meaſure, as they ſhall think fit, to defray the Expence of relaying any ſuch Pavement as ſhall from Time to Time be taken up for the Purpoſes aforeſaid.

Rates to be laid.

XVIII. And in order to defray the Expences of carrying this Act into Execution, and to enable the ſaid Truſtees to raiſe and pay ſuch Annual or other Sum or Sums of Money as ſhall be neceſſary for thoſe Purpoſes, be it further enacted, That One or more Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be made, laid, and aſſeſſed, by the ſaid Truſtees, or any Five or more of them, Once in every Year, or oftener if they ſhall judge neceſſary, upon all the Occupiers of Houſes and Premiſes already built or hereafter to be built, encompaſſing or abutting upon *Great Tower Hill*, and alſo of all Houſes and Premiſes already built, or hereafter to be built in the Angles or Corners of any Street or Place which ſhall front or abut in Part or in Whole upon the ſaid Hill, for raiſing ſuch competent Sum or Sums as the ſaid Truſtees, or any Five or more of them, ſhall order and direct, and the Money ſo to be raiſed ſhall be applied for and towards defraying the ſeveral Purpoſes of this Act, and carrying the ſame into Execution, and for other the Purpoſes herein mentioned, ſo as ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, do not in the Whole exceed, in any One Year, the Sum of Two Shillings and Sixpence in the Pound on the Yearly Rent or Value of ſuch ſeveral Houſes and Premiſes liable to be rated thereto as aforeſaid, as the ſame ſhall be aſcertained by the Aſſeſſment thereof to the Poors Rate; and the ſaid Truſtees, or any Five or more of them, ſhall cauſe Accounts to be kept of the ſaid Rates or Aſſeſſments, and of the Monies to ariſe therefrom, and how the ſame ſhall be from Time to Time diſpoſed of and applied; and all Rates and Aſſeſſments which ſhall be made by virtue of this Act, ſhall be ſubject to, and chargeable with, all ſuch Sums of Money as ſhall or may be advanced, borrowed, raiſed, and received, in Manner herein-after mentioned, for the ſeveral Purpoſes of this Act, and all ſuch Rates and Aſſeſſments ſhall be paid to the ſaid Truſtees, or to ſuch Perſon or Perſons as they, or any Five or more of them, ſhall nominate and appoint to collect and receive the ſame, by the Inhabitants or Occupiers of the ſeveral Houſes and Premiſes liable to be rated or aſſeſſed thereto reſpectively as aforeſaid.

This Act not to extend to the Foot Pavements in the Front of the

XIX. Provided always, and be it further enacted and declared, That nothing herein contained ſhall extend, or be conſtrued, deemed, or taken to extend, to the Foot Pavements in Front of the Houſes on *Great Tower Hill* aforeſaid, or the Lamps for lighting the ſame, or to alter, affect,

affect, or prejudice, any Parliamentary, Parochial, or other Taxes, Rates, or Aſſeſſments, taxed, rated, charged, or aſſeſſed, or to be taxed, rated, charged, or aſſeſſed, on all or any of the Houſes and Premiſes already built, or hereafter to be built, encompaſſing or abutting upon *Great Tower Hill* aforeſaid; but that the ſame Houſes and Premiſes, and every Part thereof, ſhall be and remain liable to the Payment of all ſuch Taxes, Rates, or Aſſeſſments, and particularly to the Rates or Taxes for paving, lighting, watching, and cleanſing, the City of *London* and Liberties thereof, and alſo for making, cleanſing, and repairing, Sewers within the ſame; any Thing in this Act contained to the contrary thereof in anywiſe notwithſtanding. Houſes on *Tower Hill*, &c.

XX. And be it further enacted, That all and every Perſon and Perſons, Bodies Corporate or Politick, who hath or have already ſubſcribed, or who ſhall hereafter ſubſcribe to advance any Money for and towards carrying the ſaid intended Improvements into Effect as aforeſaid, ſhall, and they are hereby required to pay the Sum or Sums of Money by them reſpectively ſubſcribed or to be ſubſcribed as aforeſaid, within ſuch Time or Times, and to ſuch Perſon or Perſons as the ſaid Truſtees, or any Five or more of them, ſhall direct or appoint; and in Default of ſuch Payment ſuch Money may be recovered by Action of Debt, or on the Caſe, or by Bill, Plaint, Suit, or Information, in which no Eſſoign, Protection, Wager at Law, or more than One Imparlance, ſhall be allowed; and all ſuch Money, when paid or recovered as aforeſaid, ſhall be applied for carrying this Act into Execution, in like Manner as the Rates hereby directed to be raiſed are appointed and intended to be applied in Aid of the Funds intended to be raiſed as herein mentioned. Subſcribers to be compelled to pay their Subſcriptions.

XXI. And, in regard that the Corporation of Trinity Houſe aforeſaid have largely contributed, or agreed to contribute, to the Purpoſes of this Act, and will pay a conſiderable Part of the Aſſeſſments to be raiſed purſuant hereto, as Occupiers of their Houſe and Premiſes on the ſaid Hill; be it further enacted, That the Uſe of ſo much of the Ground in Front of their Houſe, as extends Southward from their Freehold Boundary Twenty-four Feet, ſhall be and hereafter remain veſted in the ſaid Corporation, and their Succeſſors and Aſſigns: Provided nevertheleſs, that no Buildings whatever ſhall be erected or ſet up on the ſaid Ground in Front of the Trinity Houſe, and that the ſaid Corporation, their Succeſſors and Aſſigns, ſhall, within Six Calendar Months from the paſſing of this Act, at their own Coſts and Charges, make, ſet up, and alſo for ever after maintain and keep a good and ſufficient Fence or Incloſure of Iron Paliſadoes or Railing in Front of their ſaid Premiſes, with a ſufficient Number of Lamps thereon, and alſo ſhall and do well and ſufficiently pave the publick Footway on the Outſide of the ſaid Iron Fence or Paliſadoe, with *Yorkſhire* or *Purbeck* Paving, bounded with a Moorſtone Kirb, not leſs than Ten Feet wide, and at their own like Coſts and Charges maintain and keep the ſame at all Times in good and ſufficient Repair, and alſo light the ſame, in ſuch Manner as the Commiſſioners of Sewers for the City of *London* ſhall from Time to Time direct or appoint. For veſting a ſmall Part in Front of the Trinity Houſe in that Corporation.

XXII. And be it further enacted, That the Occupiers of ſuch Houſes and Premiſes encompaſſing and abutting upon *Tower Hill* aforeſaid, who ſhall be aſſeſſed to and pay the Rates to be raiſed by virtue of this Act, and Occupiers of Houſes paying the Rates to have the Uſe of the Incloſure.

and alſo the Truſtees for the Execution of this Act, for the Time being, ſhall be entitled unto, and have the Uſe of, free Liberty, Way, and Paſſage into, through, and along the Pleaſure Ground or Incloſure intended to be made in the Center of the Hill as aforeſaid.

Truſtees may permit other Perſons contributing to the Expences of the Act to uſe the Incloſure.

XXIII. Provided nevertheleſs, and be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall and may have full Power and Authority by virtue of this Act to permit and ſuffer, and give Licence to any Perſon or Perſons not liable to be rated purſuant to this Act, to have the like Privileges and Uſe of the ſaid intended Pleaſure Ground or Incloſure, as is herein-before given to the Inhabitants liable to be rated thereto, who ſhall ſubſcribe and pay any Sum not leſs than Five Pounds and Five Shillings towards the Purpoſes of this Act, or who ſhall be willing to pay, and ſhall accordingly pay ſuch annual Sum or Sums in that Reſpect as the ſaid Truſtees, or any Five or more of them, ſhall think proper in that Behalf; any Thing herein contained to the contrary notwithſtanding.

Untenanted Houſes how to be rated.

XXIV. And be it further enacted, That in caſe it ſhall happen that any of the Houſes and Premiſes liable to be rated under or by virtue of this Act ſhall at the Time of making any of the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, be empty, untenanted, or unoccupied, that then and in every ſuch Caſe One Half Part of the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be paid by the Owner or Leſſee of ſuch Houſes and Premiſes liable to be rated under or by virtue of this Act as aforeſaid; and in caſe of Non-payment by ſuch Owner or Leſſee, then the ſaid laſt-mentioned Rates or Aſſeſſments, and all Arrears due thereon, ſhall be paid by the next or any other Tenant or Occupier thereof, and all ſuch Tenants and Occupiers are hereby authorized to deduct and retain the ſame out of their Rents reſpectively; and the reſpective Owners or Leſſees of all ſuch Houſes and Premiſes are hereby required to allow ſuch Deduction upon Receipt of the Reſidue of their reſpective Rents, and all ſuch Tenants or Occupiers ſhall be, and are hereby acquitted and diſcharged of and from ſo much of their reſpective Rents as the ſaid laſt-mentioned Rates or Aſſeſſments, and all Arrears due thereon, ſo paid by them ſhall amount unto; and in the mean Time, and until ſuch Payment ſhall be made as aforeſaid, ſuch Houſes and Premiſes ſhall be, and the ſame are hereby made a Security for, and chargeable with all ſuch laſt-mentioned Rates or Aſſeſſments, and all Arrears thereof.

Houſes partly within and partly without the Limits of this Act, how to be rated.

XXV. Provided always, and be it further enacted, That if any Houſe or Premiſes ſhall abut partly within the Limits of this Act, and partly upon any Street or Place not within the Limits of this Act, ſuch Houſe or Premiſes ſhall be aſſeſſed to the Rates to be raiſed by virtue of this Act for a proportionable Part only of the Rent thereof; and it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, or any Perſon appointed by them, and they or he are or is hereby reſpectively authorized and required to apportion and ſettle at how much and what Part of the Rent of ſuch Houſes and Premiſes the ſame ſhall be aſſeſſed.

Leſſees, &c. ſubject to Rates of Houſes let to Lodgers.

XXVI. And be it further enacted, That the Leſſee, Landlord, or Owner of every Houſe within the Limits of this Act, which is, or ſhall or may be let out ready furniſhed to a Lodger or Lodgers, ſhall be deemed

deemed and taken to be the Occupier thereof, and ſhall be liable and ſubject to the Rates or Aſſeſſments directed by this Act to be made, raiſed, and levied, according to the yearly Rent or Value of the Premiſes; and that every Perſon renting or occupying any ſuch ready-furniſhed Houſe as aforeſaid, ſhall be liable and compellable to the Payment of the ſaid Rates or Aſſeſſments to be recovered in Manner herein directed; and that every ſuch reſpective Occupier or Occupiers who may pay any ſuch Rate or Aſſeſſment, or from whom the ſame ſhall be recovered in purſuance of this Act, ſhall and may deduct the ſame from and out of the next Rent due and payable from him, her, or them, to ſuch reſpective Leſſees, Landlords, or Owners, and the Receipt for ſuch Payment ſhall be a ſufficient Diſcharge for ſuch Tenant or Tenants, Occupier or Occupiers, to his, her, or their Landlords, for ſo much Money as he, ſhe, or they ſhall pay, or as ſhall be levied on him, her, or them, by virtue of this Act.

Perſons occupying ſeparate Apartments liable to pay Rates, who may deduct the ſame from their Rents.

XXVII. And be it further enacted, That the Firſt Rate or Aſſeſſment directed to be made as aforeſaid, ſhall commence from the Twenty-fifth Day of *June* One thouſand ſeven hundred and ninety-ſeven, and the Firſt Payment thereof ſhall become due and payable on the Twenty-ninth Day of *September* next following; and every Rate or Aſſeſſment to be made as aforeſaid, ſhall always commence from the Time the laſt preceding Rate or Aſſeſſment ended, and not otherwiſe, and the Monies therein and thereby charged and aſſeſſed ſhall be payable quarterly, and be levied and recovered in Manner herein-after directed.

Commencement of the Rates.

XXVIII. And whereas Perſons may remove without paying the Money rated or aſſeſſed on them, and other Perſons enter and occupy their Houſes or Premiſes Part of the Year only, by Reaſon whereof Sums of Money may be annually loſt; be it therefore further enacted, That where any Perſon ſhall come into or occupy any Houſe or Premiſes within the Limits of this Act, out of or from which any other Perſon rated or aſſeſſed by virtue of this Act ſhall be removed, or which, at the Time of making any Rates or Aſſeſſments in purſuance of this Act, was empty or unoccupied, then, and in every ſuch Caſe every Perſon ſo removing from, and every Perſon ſo coming into or occupying the ſame, ſhall be liable to pay ſuch Rates or Aſſeſſments in Proportion to the Time that ſuch Perſons occupied the ſame reſpectively, in the ſame Manner, and under the like Penalty of Diſtreſs as if ſuch Perſon ſo removing had not removed, or ſuch Perſon ſo coming in or occupying had been originally rated or aſſeſſed to ſuch Rates; which ſaid Proportion ſhall, in caſe of Diſpute, be ſettled by the ſaid Truſtees, or any Five or more of them, whoſe Determination ſhall be final.

Perſons removing and others ſucceeding them to pay due Proportions, to be ſettled by Two Truſtees.

XXIX. Provided always, and be it further enacted, That in caſe any Perſon ſhall think himſelf or herſelf aggrieved by any Rate to be made by virtue of this Act, ſuch Perſon may complain to the ſaid Truſtees at their Firſt Meeting which ſhall be holden after the Expiration of Three Days from the Day on which Payment of ſuch Rate ſhall have been demanded; and the ſaid Truſtees, or any Five or more of them, ſhall, and are hereby authorized and empowered, if they think fit, to hear the Matter of any ſuch Complaint, and give ſuch Relief to the Perſon complaining as to the ſaid Truſtees, or any Five or more of them, ſhall appear juſt and reaſonable; and in caſe the ſaid Truſtees, or any Five or more of them,

Perſons diſſatisfied with the Rate to apply to the Truſtees for Relief.

ſhall not think fit to hear the Matter of ſuch Complaint, or if they ſhall hear the Matter of ſuch Complaint, and the Perſon complaining ſhall be diſſatisfied with their Determination, every ſuch Perſon ſhall nevertheleſs be obliged to pay the ſaid Rate, and after Payment, (but not otherwiſe), may, within Four Calendar Months next after Payment of the ſaid Rate, appeal to the Juſtices of the Peace at the Quarter Seſſions to be holden for the County of *Middleſex*, the Appellant firſt giving Twenty-one Days Notice to the Clerk to the ſaid Truſtees, and alſo entering into a Recognizance before ſome Juſtice of the Peace for the ſaid County, with Two ſufficient Sureties conditioned to try ſuch Appeal, and to abide the Order of, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Seſſions; and the ſaid Juſtices at ſuch Seſſions, upon due Proof of the Payment of the Rate appealed againſt, and of the Appellant having given ſuch Notice to the ſaid Clerk as aforeſaid, and of having entered into ſuch Recognizance as aforeſaid, ſhall hear and determine ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Party appealing, or to the ſaid Truſtees, as they ſhall think proper, and the Determination of the ſaid Juſtices therein ſhall be final, binding, and concluſive; but no Appeal ſhall be allowed to be made againſt any of the ſaid Rates except to ſome Quarter Seſſions to be holden for the ſaid County of *Middleſex*, and in Manner aforeſaid; any Law, Statute, or Uſage, to the contrary hereof notwithſtanding: Provided always, that it ſhall be lawful for the ſaid Juſtices upon hearing any ſuch Appeal as aforeſaid, to correct, alter, and amend, any Part or Parts of any ſuch Rate that ſhall appear to them, either from Error or upon any other Account, to require to be altered and amended, for relieving the Party ſo appealing as aforeſaid, and to cauſe ſuch Money to be returned to the Perſon who ſhall appeal, as ſhall appear to them to have been overpaid; and to cauſe to be added to the ſaid Rate the Name of any Perſon omitted to be inſerted in ſuch Rate, and the Deſcription of the Property for which he ought to have been rated, and to make ſuch other Order therein as to them ſhall ſeem meet, but not to quaſh, vacate, or ſet aſide the whole Rate; any Law, Statute, or Uſage, to the contrary hereof notwithſtanding.

Truſtees may borrow Money by Annuities;

XXX. And, for the more ſpeedy carrying the Purpoſes of this Act into Execution, be it further enacted, That it ſhall be lawful for the Owners, Leſſees, or Occupiers of Houſes and Premiſes in or upon *Great Tower Hill* as aforeſaid, and to and for any other Perſon or Perſons whomſoever, to advance and pay the ſaid Truſtees, or their Treaſurer for the Time being, any Sum or Sums of Money, not exceeding in the Whole the Sum of Two thouſand five hundred Pounds, for the abſolute Purchaſe of any Annuity or Annuities, to be paid and payable during any Term of Years, or for any Life or Lives, as the ſaid Truſtees, or any Five or more of them, ſhall think fit, to commence from the reſpective Times ſuch Conſideration Money ſhall be paid, and to be computed at ſuch Rate as ſhall be agreed upon between the Parties, all which Annuities ſhall be granted by the ſaid Truſtees, or any Five or more of them, to be iſſuing out of the ſaid Rates and Aſſeſſments to be made by virtue of this Act, by Writing upon Parchment or Vellum, ſigned and ſealed by any Five or more of the ſaid Truſtees, and ſuch Annuities ſhall be payable to the reſpective Purchaſers thereof, his, her, or their Executors, Adminiſtrators, or Aſſigns, by even and equal Half Yearly Payments, the Firſt Payment thereof to become due at the End of Six

Calendar Months from the Time of paying the Purchaſe Money; and the ſaid Rates and Aſſeſſments to be made, laid, or aſſeſſed, by virtue of this Act, ſhall be charged and chargeable in the firſt Place with the Payment of ſuch Annuities, and all Arrears thereof from Time to Time, and ſhall veſt in the Annuitants upon Default of Payment of ſuch Annuities, until the ſame ſhall be fully paid and ſatisfied, together with Intereſt, and the Coſts and Charges occaſioned by the Non-payment of the ſame, and in caſe there ſhall be any Arrears of the ſaid Annuities, then until full Payment thereof, with Intereſt and Charges as aforeſaid; and the ſaid Annuitants ſhall reſpectively have the ſame Power, Right, and Remedy, of levying, recovering, or ſuing for the ſaid Rates or Aſſeſſments, or any of them, ſo aſſigned or charged as aforeſaid, as the ſaid Truſtees could have had by virtue of this Act, in caſe the ſaid Annuitants had been regularly and fully paid and ſatisfied; and all ſuch Annuities ſhall be deemed Perſonal Eſtate, and may be aſſigned or transferred by the Owners thereof, by Indorſement or otherwiſe, and ſhall be free and exempt from all parliamentary or other Taxes, Duties, Rates, and Aſſeſſments whatſoever.

or at Intereſt if they think fit.

XXXI. And be it further enacted, That if the ſaid Truſtees, or any Five or more of them, ſhall think it more adviſeable to borrow Money repayable with Intereſt, than to grant Annuities as before-mentioned, or to grant Annuities in Part, and borrow Money at Intereſt in Part, that then it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby authorized and empowered, from Time to Time, to borrow and take up at Intereſt any Sum or Sums of Money from any Perſon or Perſons willing to lend and advance the ſame, and by any Writing or Writings upon Vellum or Parchment, to be ſigned and ſealed by the ſaid Truſtees, or any Five or more of them, to aſſign and mortgage the ſaid Rates or Aſſeſſments as a Security or Securities for the Re-payment of ſuch Sum or Sums of Money as they ſhall ſo borrow, with legal or lower Intereſt for the ſame, which Intereſt ſhall be payable and paid Half-yearly by the Treaſurer, for the Time being, to the ſaid Truſtees, out of any Monies to ariſe by or from the ſaid Rates or Aſſeſſments.

Notice to be given previous to raiſing any Money.

XXXII. Provided always, That before any Money ſhall be borrowed or raiſed upon the Credit of this Act, the ſaid Truſtees, or any Five or more of them, ſhall cauſe Fourteen Days Notice thereof to be given in *The London Gazette*, or in ſome other publick Newſpaper, and ſhall ſet forth in ſuch Notice whether they intend to raiſe the Money by granting ſuch Annuities as aforeſaid, or by borrowing the ſame at Intereſt, in order that the Money may be raiſed upon the eaſieſt and moſt reaſonable Terms; and that all and every Sum and Sums of Money which ſhall be borrowed, raiſed, or received by the ſaid Truſtees, or any Five or more of them, as aforeſaid, ſhall be applied and diſpoſed of to and for the like Uſes and Purpoſes as the ſaid Rates or Aſſeſſments are by this Act directed to be applied and diſpoſed of, and to no other Uſe or Purpoſe whatſoever.

Securities to be entered in Books.

XXXIII. And be it further enacted, That there ſhall be entered in a Book or Books to be provided and kept by the Clerk to the ſaid Truſtees, due and regular Entries of all Securities for Payment of the Annuities granted,

granted, and of the Principal Monies borrowed by virtue of this Act, together with the Intereſt of ſuch Principal Monies, and alſo of all Aſſignments or Transfers of the ſame reſpectively; which ſaid Entries ſhall reſpectively ſpecify the Purchaſe Monies paid for ſuch Annuities, and the Principal Sums lent at Intereſt, and the Rate of Intereſt to be paid for the ſame, and alſo the Annual Sums granted by ſuch Securities, and the Times when ſuch Annual Sums, or ſuch Principal Money and Intereſt ſhall be made payable, and ſhall alſo ſpecify the Names, Additions, and other neceſſary Deſcriptions of all ſuch Perſons as ſhall from Time to Time be entitled to ſuch Securities, and the Sums payable for the ſame, to which Book or Books the Perſon or Perſons entitled to ſuch Securities, and every Perſon liable to the Payment of the ſaid Rates or Aſſeſſments, ſhall at all ſeaſonable Times have acceſs, with free Liberty to inſpect the ſame, without Fee or Reward; and all ſuch Aſſignments and Transfers, after they ſhall be reſpectively entered in the ſaid Book or Books in Manner aforeſaid, ſhall entitle the Perſon or Perſons to whom they ſhall be reſpectively made, and his, her, and their reſpective Executors, Adminiſtrators, and Aſſigns, to the Benefit of ſuch Security or Securities aforeſaid.

Rates how to be recovered.

XXXIV. And, for the better enforcing the Payment of the Rates or Aſſeſſments to be made by virtue of this Act, be it further enacted, That if any Perſon or Perſons liable to pay any of the ſaid Rates or Aſſeſſments ſhall refuſe or neglect to pay any of the Money rated or aſſeſſed upon him, her, or them, and all Arrears due thereon, or if any Perſon or Perſons liable to pay any of the ſaid Rates or Aſſeſſments ſhall at any Time begin to remove his, her, or their Goods or Furniture from the Houſe or Premiſes in his, her, or their Occupation, within the Limits of this Act, or to ſell or diſpoſe of ſuch Goods or Furniture therein by publick Auction, or ſell, diſpoſe, or carry away his, her, or their Goods or Furniture as aforeſaid, without paying all Arrears then due or rated in reſpect of ſuch Houſe or Premiſes, that then and in any of the ſaid Caſes it ſhall be lawful for the Collector for the Time being to the ſaid Truſtees, with the Aſſiſtance of a Conſtable, to collect and levy ſuch Rates or Aſſeſſments, and all Arrears due thereon, and the Rate or Aſſeſſment for ſuch Quarter wherein ſuch Removal or Sale ſhall begin to be made as aforeſaid, (although previous to the Time for Payment of the Rate or Aſſeſſment for ſuch Quarter), by Warrant under the Hand and Seal, or Hands and Seals, of One or more Alderman or Aldermen of the City of *London*, or One or more Juſtice or Juſtices of the Peace for the County of *Middleſex*, as the Caſe may require, by Diſtreſs and Sale of the Goods and Chattels of the Party ſo neglecting or refuſing, or beginning to remove, take away, or ſell any ſuch Goods or Furniture as aforeſaid; and if within Five Days next after ſuch Diſtreſs ſhall be made, the ſaid Rates or Aſſeſſments, and all Arrears due thereon, together with the reaſonable Charges of taking and keeping the ſaid Diſtreſs, ſhall not be paid, the ſaid Collector ſhall cauſe the ſaid Goods and Chattels to be diſtrained and ſold, or ſuch Part thereof as ſhall be ſufficient to pay ſuch Rates or Aſſeſſments, together with all Arrears due thereon, and the reaſonable Charges of making ſuch Diſtreſs, and of keeping and ſelling the ſame, returning the Overplus (if any be) to the Owner or Owners of ſuch Goods and Chattels reſpectively.

XXXV. Pro-

XXXV. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, if they ſhall think it more expedient, to bring, or cauſe to be brought, in the Name of their Clerk, or of any One or more of the Truſtees, any Action or Actions of Debt, or Special Action on the Caſe, in any of His Majeſty's Courts of Record at *Weſtminſter*, for all or any of the Rates or Aſſeſſments to be made by virtue of this Act, in which Action or Actions it ſhall be ſufficient for the Plaintiff to declare that the Defendant is indebted to the Plaintiff in ſuch Sum of Money as the Plaintiff ſhall ſuppoſe to be due; and if the Plaintiff ſhall recover ſuch Sum ſo declared for, or any Part thereof, he ſhall have full Coſts, to be levied and recovered as other Monies upon Judgements are by Law levied or recovered, in which Action or Actions no Eſſoin, Protection, or Wager of Law, or more than One Imparlance ſhall be allowed. May bring Actions for Rates.

XXXVI. And be it further enacted, That the Treaſurer and Collector to the ſaid Truſtees ſhall, upon Fourteen Days Notice in Writing given or left for them reſpectively at their uſual Place of Abode, deliver in to the ſaid Truſtees, or any Five or more of them, a true and particular Account in Writing, under the reſpective Hands of ſuch Treaſurer or Collector, of all Monies which they ſhall have reſpectively received or collected by virtue of their reſpective Offices, and the ſaid Treaſurer ſhall, in his Account, diſtinguiſh how much thereof hath been paid and diſburſed by Order of the ſaid Truſtees, or any Five or more of them, and for what Purpoſe, and ſhall produce with ſuch Account the proper Vouchers for ſuch Payments; and the ſaid Treaſurer and Collector ſhall verify their reſpective Accounts upon Oath, if thereto required by the ſaid Truſtees, or any Five or more of them, which Oath the ſaid Truſtees, or any Five or more of them, are hereby empowered to adminiſter; and the ſaid Collector ſhall alſo deliver in to the ſaid Truſtees a true Liſt of the Names of all Perſons who ſhall have neglected or refuſed to pay the ſaid Rates or Aſſeſſments, or either of them, and an Account of the ſeveral Sums of Money due and in Arrear from ſuch Perſon or Perſons, and the Dates at which the ſame reſpectively became due, to the Intent that all ſuch Arrears may be ſpeedily recovered; and if any ſuch Treaſurer or Collector ſhall, after ſuch Notice given as aforeſaid, neglect or refuſe to deliver ſuch Account as aforeſaid, or to produce proper Vouchers for all ſuch Payments by him and them reſpectively made, or to verify the ſame upon Oath, if required ſo to do as aforeſaid, or if any ſuch Treaſurer or Collector ſhall refuſe or neglect to account for any Sum or Sums of Money by him or them reſpectively received or collected as aforeſaid, and to pay the ſame, and every Part thereof, to ſuch Perſon or Perſons as ſhall be by the ſaid Truſtees, or any Five or more of them, appointed to receive the ſame, every ſuch Treaſurer or Collector ſo refuſing or neglecting ſhall, for every ſuch Neglect or Refuſal reſpectively, forfeit any Sum not exceeding Fifty Pounds nor leſs than Ten Pounds, and it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby authorized and empowered to bring, or cauſe to be brought, any Action or Actions in the Names of the ſaid Truſtees, or any Five or more of them, againſt ſuch Treaſurer or Collector, for the Recovery of the ſaid Forfeiture, and alſo of the Monies which ſhall be in their reſpective Hands as Treaſurer or Collector as aforeſaid. Treaſurer and Collector to account. Penalty on Default.

Money paid by the Treaſurer to be entered in a Book.

XXXVII. And be it further enacted, That the Treaſurer to the ſaid Truſtees ſhall, and is hereby required, out of the Monies which he ſhall receive in purſuance of this Act, to pay all Sums of Money drawn upon him, or which he ſhall be ordered to pay by the ſaid Truſtees, or any Five or more of them, for the Purpoſes of this Act, and ſuch Treaſurer ſhall and is hereby required to keep regular and fair Entries, in a Book to be provided for that Purpoſe, of all the Receipts and Payments which he ſhall make on the Account aforeſaid, to which Book every Perſon liable to the Payment of the ſaid Rates or Aſſeſſments ſhall and may have free Acceſs at all convenient Times, and ſhall be permitted to inſpect the ſame without Fee or Reward; and the ſaid Truſtees, or any Five or more of them, are hereby empowered and required to audit the ſaid Accounts, and alſo the Books and Accounts of the Collector, Twice in every Year, and paſs the ſame, if ſuch Account ſhall appear juſt.

Rate Books to be admitted as Evidence.

XXXVIII. And be it further enacted and declared, That the Books of Rates to be delivered to the Collectors or other Officers to the ſaid Truſtees under this preſent Act, and all Entries afterwards made therein, or examined Copies thereof reſpectively, ſhall be received as Evidence of the Rates impoſed by this preſent Act, and of the Payment of ſuch Rates, or ſuch of them, or ſuch Part thereof as ſhall by ſuch Entries appear to have been paid by ſuch Collectors.

Coſts of this Act how to be paid.

XXXIX. And be it further enacted, That all the Coſts, Charges, and Expences, of paſſing this Act, and all Charges incident to the obtaining thereof, ſhall be borne, paid, and defrayed, out of the Firſt Monies which ſhall be received by the ſaid Truſtees by virtue of this Act.

Recovery and Application of Penalties.

XL. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed ſhall, upon Conviction of the Offender or Offenders, either by his, her, or their own Confeſſion, or by the Oath or Oaths of any credible Witneſs or Witneſſes (all which Oaths any Alderman or Aldermen of the City of *London*, or any One or more Juſtice or Juſtices for the County of *Middleſex* is and are hereby empowered to adminiſter), be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any ſuch Alderman or Juſtice (which Warrant ſuch Alderman or Juſtice is hereby empowered and required to grant); and the Penalties and Forfeitures, when recovered (after deducting the Charges of ſuch Diſtreſs and Sale, and rendering the Overplus (if any be) upon Demand, to the Party or Parties whoſe Goods and Chattels ſhall be ſo diſtrained and ſold, ſhall be paid to the Treaſurer or Collector to the ſaid Truſtees for the Time being, and be applied towards the Purpoſes of this Act; and in caſe ſufficient Diſtreſs cannot be found, or ſuch Penalties and Forfeitures ſhall not be forthwith paid, it ſhall be lawful for any Alderman or Juſtice as aforeſaid, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to any Gaol of the City of *London* or County of *Middleſex*, there to remain, without Bail or Mainprize, for any Time not exceeding One Calendar Month nor leſs than Seven Days, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges, ſhall be ſooner fully paid and ſatisfied.

Warrants to be iſſued according to the Form of the Statute.

XLI. And be it further enacted, That all Convictions and Warrants of Diſtreſs or Commitment which ſhall be made or iſſued by any Alderman or Aldermen, Juſtice or Juſtices, touching or concerning the Non-payment of any Rate or Rates, Fine, Forfeiture, or Penalty, hereby made payable, ſhall and may be made and iſſued according to the Form or Purport in the Schedule hereunto annexed; and the Perſon or Perſons to whom ſuch Warrant or Warrants ſhall be directed, are hereby required to execute the ſame in any County or Place where the Goods or Party can be found; and the Collectors of the ſaid Rate and Rates ſhall in all Caſes whatſoever be a competent Witneſs, notwithſtanding his being a Collector, or contributory to the ſaid Rates.

Diſtreſs not to be deemed unlawful for Want of Form.

XLII. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on Account of any Defect or Want of Form in any Proceedings relating thereto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers, *ab initio*, on Account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity, may recover full Satisfaction for the Special Damage only, in an Action on the Caſe.

Proceedings not to be quaſhed for Want of Form, or be removed by *Certiorari*.

XLIII. And be it further enacted, That no Rate or Aſſeſſment, nor any Proceedings to be had touching the Conviction of any Offender or Offenders againſt this Act, or any Order made, or any other Matter or Thing to be done or tranſacted in or relating to the Execution of this Act, ſhall be vacated or quaſhed for Want of Form only, or be removed by *Certiorari*, or by any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*; any Law, Statute, or Uſage, to the contrary notwithſtanding.

Perſons aggrieved may appeal to Truſtees, and if diſſatisfied to the Quarter Seſſions.

XLIV. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves, aggrieved by any Thing done in purſuance of this Act, (except by any Rate to be made as aforeſaid, reſpecting which an Appeal is herein-before allowed), ſuch Perſon or Perſons may appeal to the ſaid Truſtees at their Firſt or Second Meeting to be holden next after the Cauſe of Complaint ſhall have ariſen; and if ſuch Perſon or Perſons ſhall not be ſatisfied with the Determination of the ſaid Truſtees therein, then ſuch Perſon or Perſons may appeal to the Juſtices at the General or Quarter Seſſion to be holden in and for the ſaid County of *Middleſex*, within Three Calendar Months next after the Determination of the ſaid Truſtees as aforeſaid, ſuch Appellant or Appellants firſt giving, or cauſing to be given, Ten Days Notice in Writing of his, her, or their Intention to bring ſuch Appeal, and of the Cauſe or Cauſes thereof, to the Clerk or Treaſurer of the ſaid Truſtees, and within Four Days next after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace in and for the ſaid County, with Two ſufficient Sureties, conditioned to try ſuch Appeal, and to abide the Order of, and pay ſuch Coſts as ſhall be awarded by the ſaid Juſtices; and the Matter of ſuch Appeal ſhall be heard and determined by the ſaid Juſtices at the next General or Quarter Seſſions of the Peace to be held in and for the ſaid County, or any Adjournment thereof,

or

or at any Adjournment of the then laſt General or Quarter Seſſions of the Peace to be held in and for the ſaid County, which ſhall firſt happen next after the Expiration of One Calendar Month from the Day of giving ſuch Notice; and the ſaid Juſtices at ſuch Seſſion or Adjournment, upon due Proof of ſuch Notice being given, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Cauſes and Matters of ſuch Appeal in a ſummary Way, and award ſuch Coſts for the Appellant or Appellants, or Reſpondent or Reſpondents, as they the ſaid Juſtices ſhall think proper; and the Determination of ſuch Juſtices ſhall be final, binding, and concluſive to and upon all Parties concerned.

Limitation of Actions.

XLV. And be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, until Twenty-one Days Notice ſhall be thereof given in Writing to the Clerk to the ſaid Truſtees, 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 Suit ſhall be ſo brought; and all ſuch Actions or Suits ſhall be laid and tried in the City of *London*, and not elſewhere; and the Defendant or Defendants in any ſuch Action or Suit may plead

General Iſſue.

the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear to have been ſo done, or that ſuch Action or Suit was brought before Twenty-one Days Notice thereof given as aforeſaid, or that 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, and in any of the ſaid Caſes, the Jury ſhall find for the Defendant or Defendants; and if a Verdict ſhall be found for ſuch Defendant or Defendants, or if the Plaintiff or Plaintiffs in any ſuch Action or Suit ſhall become nonſuited, or ſhall ſuffer a Diſcontinuance of any ſuch Action or Suit, or if upon Demurrer Judgement ſhall be given for the Defendant or Defendants, then, and in any of the ſaid Caſes, ſuch Defendant or Defend-

Treble Coſts.

ants ſhall have Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants hath or have in other Caſes by Law.

Publick Act.

XLVI. And be it further enacted, That this Act ſhall be deemed and taken to be a Publick Act; and all Judges and Juſtices are hereby required to take Notice thereof as ſuch, without the ſame being ſpecially pleaded.

The SCHEDULE referred to by the Act,

Containing the Form of Proceedings.

FORM OF CONVICTION.

to wit. } BE it remembered, That on the Day of in the Year of the Reign of King George the Third, is convicted on the Oath of before me One of the for that the said on the Day of at the Parish of in the said did [*specifying the Offence*] contrary to an Act of Parliament made in the Thirty-seventh Year of the Reign of King *George* the Third, for [*insert the Title of this Act*]. Given under my Hand and Seal the Day and Year first above written.

WARRANT OF DISTRESS.

To all Constables and Headboroughs for and to each and every of them.

to wit. } WHEREAS hath been duly convicted before me One of the on the Oath of in the Sum of for that he the said on the Day of at the Parish of in the did [*specifying the Offence*] contrary to the Statute made in the Thirty-seventh Year of the Reign of King *George* the Third, for [*state the Title of the Act*]; which Sum of he now refuses to pay [*or, as the Case may be*, hath not paid, as appears to me upon Oath of] These are therefore in His Majesty's Name to will and require you or either of you forthwith to levy the said Sum of by Distress and Sale of the Goods and Chattels of the said (such Goods and Chattels being kept by the Space of Five Days inclusive before the same are sold) rendering to him the Overplus (if any be) the reasonable Charges of such Distress, Sale, and Keeping being first deducted; and if no sufficient Distress can be had or taken, that then you certify the same, to the End such further Proceedings may be had therein as to Law doth appertain. Given under my Hand and Seal the Day of in the Year of our Lord

WARRANT for Want of Diſtreſs of Goods, or where the Party refuſes or neglects to pay the Penalty.

To all Conſtables and Headboroughs for and to the Keeper of and his Deputy.

to wit. } WHEREAS hath been duly convicted before me One of the on the Oath of in the Sum of for [*ſpecifying the Offence*] contrary to the Statute made in the Thirty-ſeventh Year of the Reign of King *George* the Third, for [*ſpecifying the Title of the Act*]; which Sum of the ſaid now in my Preſence refuſes to pay [*or, as the Caſe may be,* hath neglected to pay, as appears to me on the Oath of *if after a Diſtreſs Warrant iſſued and returned, add then,* and no ſufficient Diſtreſs can be found whereon to levy the ſaid Sum, as appears to me on the Oath of] Theſe are therefore in His Majeſty's Name to will and require you the ſaid Conſtables and Headboroughs, and every or any or either of you, to apprehend the ſaid and him ſafely to convey and deliver to the Keeper of [*as the ſhall think proper*] or his Deputy, together with this Warrant; and I do hereby require you the ſaid Keeper and Deputy Keeper to receive the ſaid into your ſaid Gaol, and ſafely keep, without Bail or Mainprize, for unleſs the ſaid Sum of and all reaſonable Charges, ſhall be ſooner paid and ſatisfied. Given under my Hand and Seal the Day of in the Year of our Lord

FINIS.