Anno quarto

Georgii III. Regis.

An Act for the Relief of the Bond and other Creditors of the Wardens and Commonalty of the Myſtery of *Mercers* of the City of *London*.



Whereas by an Act paſſed in the Twenty firſt Year of the Reign of His late Majeſty King George the Second, intituled, An Act for the further Relief of the Orphans and other Creditors of the City of *London*, and for other Purpoſes therein mentioned, it is (amongſt other Things) enacted, That the Duty or Impoſition of Six Pence for every Chaldron or Ton of Coals imported into the Port of London, which by an Act of the Fifth and Sixth Years of the Reign of King William and Queen Mary, for the Relief of the Orphans and other Creditors of the City of London, was granted to the Mayor, Commonalty, and Citizens of the City of London during the Term of Preamble.

Fifty Years, to commence from the Twenty ninth Day of September, One thousand seven hundred, should, from the Expiration of that Term, be continued for the further Term of Thirty five Years; and that all the Monies arising thereby, should, from time to time, be paid into the Receipt of the Chamber of the City of London; and that the yearly Sum of Three thousand Pounds, for and during the said Term of Thirty five Years, should be paid by the Chamberlain of the said City for the time being, out of the Produce of the said Imposition or Duty, unto the Wardens and Commonalty of the Mystery of Mercers of the City of London, by Half-yearly Payments (that is to say) on the Twenty fifth Day of March, and the Twenty ninth Day of September, or within Fourteen Days after the same should respectively become due, to be applied by the said Wardens and Commonalty towards the Payment of Annuities and other Debts, in such Manner as by any Act or Acts of Parliament should be directed: And whereas by another Act passed in the same Session of Parliament, intituled, An Act for the Relief of the Annuitants of the Wardens and Commonalty of the Mystery of *Mercers* of the City of *London*, reciting the aforementioned Clause contained in the said last recited Act, it is (amongst other Things) enacted, That the said Wardens and Commonalty should, and they were thereby directed and required, within One Month after Michaelmas, One thousand seven hundred and fifty, to make out a general Account of all Sums of Money that should be then due and in Arrear to the Annuitants of the said Wardens and Commonalty and their Representatives, and to enter the same in One or more Book or Books to be kept for that Purpose; and a Note or Certificate in Writing, containing the Sum due and in Arrear to each Annuitant at Michaelmas, One thousand seven hundred and fifty, was to be delivered to them and their Representatives. All which Sums were thereby declared to be principal Sums, and to carry an Interest at Three Pounds per Centum per Annum, until the same should be paid and discharged: And it is, by the said last-mentioned Act, further enacted, That after Michaelmas, One thousand seven hundred and fifty, the said Wardens and Commonalty should, and they were thereby required, to apply the said yearly Sum of Three thousand Pounds, as the same should come in and be received, in the first Place towards Payment and Satisfaction

tisfaction of so much of the Annuities which should from thenceforth become due and payable, by Virtue of the Deeds of Settlement made for the Benefit of the Annuitants, as the Estates of the said Wardens and Commonalty, which are liable to the Payment thereof, would not be sufficient to pay and satisfy. And it is further enacted, That when the said yearly Sum of Three thousand Pounds, together with the Rents and Profits of the Estates in Settlement, should be more than sufficient to pay and discharge the said Annuities, that then, as any Surplus should arise, and be sufficient to pay Half a Year's Interest, the said Wardens and Commonalty were required to apply such Surplus, as the same should come in and be received, in the first Place towards paying and discharging the Interest which, after Michaelmas One thousand seven hundred and fifty, should grow due on the Sums of Money which at that Time were due for the Arrears of the said Annuities, and which are before directed to be considered as principal Sums, until such Interest should be all paid; and after Payment thereof, and of the growing Interest thereon, such Surplus should, so often as the same would be sufficient to pay Ten Pounds per Centum on the Principal, be applied to reduce and pay off the principal Sums in an equal Proportion, until the Whole should be fully paid and discharged. And it is further enacted, That when and so soon as the said yearly Sum of Three thousand Pounds, together with the Rents and Profits of the Estates in Settlement, should have paid and discharged all the Arrears of the said Annuities, and the Interest thereof, and should be more than sufficient annually to pay and satisfy the respective Annuities, the said Wardens and Commonalty were thereby required to reserve the Surplus arising from the said yearly Sum of Three thousand Pounds, to be applied to the Payment of such other Creditors of the said Wardens and Commonalty as should be deemed proper Objects of Relief, and in such Manner as should be directed by any future Act or Acts of Parliament: And whereas the said Wardens and Commonalty, by and out of the said yearly Sum of Three thousand Pounds, together with the Rents and Profits of their Estates in Settlement, have been enabled not only to pay off and discharge the Arrears of the Annuities, for which Certificates were given in pursuance of the Directions of the said last recited Act, with

the Interest thereof, except some small Sums of the said Arrears and Interest yet uncalled for; but have also duly and punctually paid their respective Annuities, except some small Arrears not yet demanded; and there was, upon the Tenth Day of October, One thousand seven hundred and sixty three, remaining in their Hands, subject to the said unclaimed Arrears and Interest, a Surplus of Four thousand six hundred and forty Pounds, Eleven Shillings, and Nine Pence Halfpenny, arising from the said yearly Sum of Three thousand Pounds, which, together with what shall hereafter arise from the Receipt of the said yearly Sum of Three thousand Pounds, is to be applied by Parliament to the Payment of such other Creditors of the said Wardens and Commonalty as should be deemed proper Objects of Relief: But the said Wardens and Commonalty cannot apply the same to the discharging of Debts due to any other of their Creditors, without the Direction and Authority of Parliament: And whereas the present annual Income of the Estates of the said Wardens and Commonalty, liable to the Payment of their said Annuities, are considerably more than sufficient annually to pay and satisfy the same, and the Arrears of Rent due and owing to the said Wardens and Commonalty from their said settled Estates, upon the said Tenth Day of October, One thousand seven hundred and sixty three, amounted to the Sum of Six thousand Pounds and upwards: And whereas several Persons have heretofore given or left unto the said Wardens and Commonalty, several Sums of Money for certain charitable Uses and other Purposes, in Consideration of which Benefactions, the said Wardens and Commonalty have heretofore annually paid the Sum of Five hundred and forty eight Pounds, One Shilling; and upon the said Tenth Day of October, One thousand seven hundred and sixty three, there was a considerable Arrear due thereon, or on the greatest Part thereof: And whereas the said Wardens and Commonalty are indebted, upon simple Contract, to sundry Artificers, Workmen, and others, in the Sum of Five hundred and Fifteen Pounds, Six Shillings, and Six Pence, or thereabouts: And whereas the said Wardens and Commonalty are indebted unto several Persons upon Bonds, amounting in the Whole to the principal Sum of Eighty four thousand seven hundred Pounds, with a large Arrear of Interest due thereon, upon the said Tenth Day

of

of October One thousand seven hundred and sixty three, the Particulars of which Bonds, and the Names of the several Persons to whom the same were made payable, are mentioned and comprized in the Schedule hereunto annexed: And whereas the said Wardens and Commonalty have no other Way of discharging the Debts due to their said several Creditors, than out of the Surplus resulting from their Estates, which is of itself greatly insufficient to satisfy the same: Therefore, for the making proper Provision for the Disposition of the Surplus of the said yearly Sum of Three thousand Pounds, that was remaining in the Hands of the said Wardens and Commonalty, upon the said Tenth Day of October, One thousand seven hundred and sixty three, and for the further Application of the said yearly Sum of three thousand Pounds for the future: May it please your most Excellent 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 it shall and may be lawful to and for the said Wardens and Commonalty, and they are hereby directed and required to apply the Surplus arising from the said yearly Sum of Three thousand Pounds, which was remaining in their Hands, upon the Tenth Day of October, One thousand seven hundred and sixty three, together with the Arrears of Rent, which, upon the said Tenth Day of October, One thousand seven hundred and sixty three, were due to the said Wardens and Commonalty, upon their said settled Estates, as the same shall come in and be received, in Manner following; that is to say, In the first Place, after Payment of the said unclaimed Arrears of Annuities and Interest, to pay, satisfy, and discharge all and every the Sum and Sums of Money which, upon the said Tenth Day of October, One thousand seven hundred and sixty three, shall appear to have been actually due and in Arrear to any Person or Persons, upon Account of the annual Donations out of the said Charities or Money Legacies; and in the next Place, to pay, satisfy, and discharge the simple Contract Debts, due and owing from the said Wardens and Commonalty to sundry Artificers, Workmen and others as aforesaid; so as the Arrears of the annual Donations out of the said Charities or Money Legacies, or so much thereof as shall appear to have been

Surplus upon 10 *Oct.* 1763, arising from the 3000 *l.* a Year, and Arrears of Rent, appropriated to pay the Arrears of the Charities, and the simple Contract Debts, within Two Years, from 5 *April*, 1764.

been actually due and owing from the said Wardens and Commonalty to any Person or Persons, upon the said Tenth Day of October, One thousand seven hundred and sixty three, together with the simple Contract Debts aforesaid, shall be paid and satisfied within Two years from the Fifth Day of April, One thousand seven hundred and sixty four.

When the same are paid, the Surplus to be applied in Augmentation of the Fund for the Bond Creditors.

And be it further enacted by the Authority aforesaid, That when, and so soon as the Surplus of the said yearly Sum of Three thousand Pounds, remaining as aforesaid, in the Hands of the said Wardens and Commonalty, together with the Arrears of Rent, which upon the said Tenth Day of October, One thousand seven hundred and sixty three, were due to the said Wardens and Commonalty, upon their said settled Estates, shall have paid and discharged the Arrears of the annual Donations out of the said Charities or Money Legacies, or so much thereof as shall appear to be actually due and owing from the said Wardens and Commonalty, together with the Simple Contract Debts aforesaid, and there shall be a Surplus arising and resulting therefrom, such Surplus shall be applied by the said Wardens and Commonalty in Aid and Augmentation of the Fund, appropriated by this Act for Payment of the Bond Debt of the said Wardens and Commonalty, in Manner herein after mentioned.

Surplus of the 3000 *l.* a Year, and of the Estates, after 10 *Oct.* 1763, to be applied for the Maintenance of the Charities for the future.

And be it further enacted by the Authority aforesaid, That the several Surplusses, which, from and after the said Tenth Day of October, One thousand seven hundred and sixty three, shall arise from the said yearly Sum of Three thousand Pounds, together with the Rents and Profits of the Estates in Settlement to grow due from that Time, after due and punctual Payment of the several Annuities and other Sums charged upon their said Estates, shall be from time to time applied by the said Wardens and Commonalty, in and for the Payment, Maintenance and Support of the annual Donations out of the said Charities or Money Legacies, in all Times to come.

Principal and Interest of the Bond Debt to be consolidated, and carry an Interest of 3 *l. per Cent.* to commence from 10 *Oct.* 1763, and to be paid Half-yearly.

And be it further enacted by the Authority aforesaid, That the Principal of the Bond Debt, due and owing from the said Wardens and Commonalty, to the several Persons mentioned in the Schedule hereunto annexed, amounting in the Whole to the principal Sum of Eighty four thousand seven Hundred Pounds, together with the Interest due thereon, upon the Tenth Day of October,

October; One thousand seven hundred and sixty three, shall be consolidated into One Sum, and shall be deemed, and is hereby declared, to be a principal Sum, and shall bear and carry an Interest after the Rate of Three Pounds per Centum per Annum, to commence from the said Tenth Day of October, One thousand seven hundred and sixty three, and to become due by half yearly Payments (that is to say) upon the Fifth Day of April and the Tenth Day of October in every Year; the First half yearly Payment whereof shall begin and be made upon the Tenth Day of October, One thousand seven hundred and sixty four, or within Forty Days after as the same shall; it being the Intent and Meaning of this Act, that the said Wardens and Commonalty may reserve in their Hands Half a Year's Interest, until they shall be able to pay off any Part of the Principal of the Bond Debt in Manner herein after mentioned.

Company to reserve Half a Year's Interest, until they shall be able to pay off any Part of the Principal.

And be it further enacted by the Authority aforesaid, That the said Wardens and Commonalty shall, as soon as may be, and they are hereby directed and required to make out a General Account of all and every Sum and Sums of Money, as well Principal as Interest, which were due and owing to each and every of the Bond Creditors, mentioned and specified in the Schedule hereunto annexed, or their legal Representatives, upon the said Tenth Day of October, One thousand seven hundred and sixty three; which Account shall be fairly entered into One or more Book or Books, to be provided and kept for that Purpose by the said Wardens and Commonalty; from which Account the Clerk or proper Officer of the said Wardens and Commonalty, shall, as soon as may be, make out for each and every of the said Bond Creditors, or their legal Representatives, new Bonds to be under the Seal of the said Company, of One hundred Pounds each, or as near as may be, to the Amount of all and every Sum and Sums of Money so due and owing to the said Bond Creditors, or their legal Representatives as aforesaid: And which new Bonds shall be made out in the Name of the Clerk or proper Officer of the said Wardens and Commonalty, and numbered progressively, and be indorsed by the said Clerk or proper Officer of the said Company, so as to convey the Right, Property, and Interest therein, to the said Bond Creditors, their Executors and Administrators, and to the future Possessors of the said Bonds. And the said new Bonds so to be made out and indorsed as aforesaid,

General Account to be made of the Principal and Interest due to the Bond Creditors upon 10 *Oct.* 1763.

New Bonds of 100 *l.* each, to the Amount of the Sums due, to be delivered to the Bond Creditors, on or before 29 *Sept.* 1764.

shall be delivered to the said Bond Creditors, or their legal Representatives, in the Presence of a Committee of the said Wardens and Commonalty, in lieu of their said original Bonds, on or before the Twenty ninth Day of September, One thousand seven hundred and sixty four. And it shall and may be lawful to and for the said Wardens and Commonalty, if they shall think fit, out of the Fund appropriated by this Act for Payment of the Bond Debt, to pay and discharge the odd Sums that may be due and owing to some of the said Bond Creditors, or their Representatives, so as the Bonds to be made out, and delivered to them as aforesaid, may be in even Sums. And all and every the said Bond Creditors, and their legal Representatives, shall accept of the said new Bonds, so to be made out and delivered to them as aforesaid, with the odd Sums, if any, paid them, in full Satisfaction and Discharge of their Original Bonds, and of all Interest due and to grow due for the same. The Tenor of which new Bonds, to be made out in Pursuance of this Act, shall be as follows (that is to say)

Company to pay odd Sums due on the Bonds, so as the new ones be even Sums.

Bond Creditors to accept of the new Bonds in discharge of the Original ones.

No. £.

Tenor of the Bond.

In pursuance of an Act of Parliament passed in the Fourth Year of the Reign of His present Majesty, intituled, *An Act for the Relief of the Bond and other Creditors of the Wardens and Commonalty of the Mystery of Mercers of the City of* London, the said Wardens and Commonalty do acknowledge to have received of *William Cawne (or the proper Officer to be appointed by the said Wardens and Commonalty for that Purpose)* the Sum of which the said Wardens and Commonalty promise to repay to the said *William Cawne (or the proper Officer to be appointed as aforesaid)* his Executors, Administrators, or Assigns (by Indorsement thereon) with Interest for the same, from the Tenth Day of *October* last past, after the Rate of Three Pounds for One hundred Pounds for a Year, at *Mercers Hall* in *Cheapside, London*, by Half-yearly Payments; that is to say, upon the Fifth Day of *April*, and the Tenth Day of *October*, in every Year; the first Half-yearly Payment whereof to begin and be made upon the Tenth Day of *October*, One thousand seven hundred and sixty four; it being meant and intended, that the said Wardens and Commonalty may reserve in their Hands Half a Year's Interest, and be at Liberty to pay off the Princi-

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pal and Interest, upon giving Six Months Notice. And for the true Payment thereof, in Manner aforesaid, the said Wardens and Commonalty do hereby bind themselves and their Successors, in the penal Sum of

In Witness whereof the said Wardens and Commonalty have caused their Common Seal to be hereunto affixed, this Day of

Company restrained from borrowing more Money, until the new Bonds are paid off.

And be it further enacted by the Authority aforesaid, That when and so soon as the new Bonds hereby directed shall be made out and delivered to the said Bond Creditors, or their legal Representatives, for Payment of the several Sums of Money due and owing to them as aforesaid, the said Wardens and Commonalty shall not at any Time or Times hereafter, and they are hereby restrained from making use of their Seal for the Purpose of borrowing any further Sum or Sums of Money, until the Principal and Interest of the said new Bonds, to be made out and delivered to their Bond Creditors as aforesaid, shall have been paid off and discharged.

Company impowered to make out other Bonds, in lieu of those that may be lost, burnt, or destroyed.

Provided always, That if any of the Bonds mentioned and specified in the Schedule hereunto annexed, have been, or hereafter shall be lost, burnt, or otherwise destroyed; or if any of the new Bonds to be made out and issued in pursuance of the Directions of this Act, shall, at any Time or Times hereafter, be lost, burnt, or otherwise destroyed; and the same shall appear to the Satisfaction of the said Wardens and Commonalty; it is hereby enacted by the Authority aforesaid, That in all such Cases, it shall and may be lawful to and for the said Wardens and Commonalty, and they are hereby impowered to make out and issue new Bonds, under their Corporation Seal, in lieu of the said Bonds so lost, burnt, or destroyed, upon Security being given to their good Liking, to indemnify them against all other Persons whatsoever, for and concerning the Monies specified in or due upon such Bonds, so lost, burnt, or destroyed.

Felony to forge or counterfeit the Bonds.

And be it likewise enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times hereafter, forge or counterfeit, or procure to be forged or counterfeited, or willingly act or assist in the forging or counterfeiting any Bond or Obligation, under the common Seal of the said Wardens and Commonalty, or any Indorsement or Assignment thereon, or shall utter or publish any such Bond or Obligation, knowing the

the same to be forged or counterfeited, with Intention to defraud any Person whatsoever; then every such Person and Persons so offending (being thereof lawfully convicted) shall be, and is hereby declared and adjudged to be guilty of Felony, and shall suffer Death, as in Case of Felony, without Benefit of Clergy.

When the Annuities and Charities are paid, the Surpluses of the 3000*l.* a Year, and the Rents, from 10 *Oct.* 1763, to be applied to pay Interest to the Bond Creditors, till the Principal be discharged.

And it is hereby further enacted by the Authority aforesaid, That the several Surpluses which, from and after the said Tenth Day of October, One thousand seven hundred and sixty three, shall arise from the said yearly Sum of Three thousand Pounds, together with the Rents and Profits of the said settled Estates, after paying and satisfying the respective Annuities, and other Sums charged upon their said Estates, and after Payment of the annual Donations out of the said Charities or Money Legacies, shall, from time to time, be applied by the said Wardens and Commonalty in paying an Interest, after the Rate of Three Pounds per Centum per Annum, in Manner aforesaid, upon all and every Sum and Sums of Money, which shall be due and owing to each and every of the said Bond Creditors, and their legal Representatives, upon the new Bonds, to be made out and delivered to them as aforesaid, until the Principal shall be paid off and discharged.

When the Annuities and Charities, and Interest upon the Bond Debt is paid, and there shall be a Surplus of 1000*l.* or more, the same is to be applied to discharge the Principal of the Bond Debt, by a Lottery.

And it is hereby further enacted by the Authority aforesaid, That when and so often as the said yearly Sum of Three thousand Pounds, together with the Rents and Profits of the said settled Estates, shall have paid and satisfied the said respective Annuities and other Sums charged upon the said Estates, and the annual Donations out of the said Charities or Money Legacies, and shall also have paid and satisfied all the Interest due upon the Principal of the said Bond Debt, and there shall be a Surplus arising and resulting therefrom, amounting to the Sum of One thousand Pounds, or upwards; then the said Wardens and Commonalty shall, and they are hereby impowered and directed to apply such Surplus, and all future Surpluses, to reduce, and pay off, by way of a Lottery, so much of the Principal of the said Bond Debt, as such Surplus or Surpluses may amount unto; for which Purpose, there shall, with all convenient Speed, after the said new Bonds shall be made out and issued as aforesaid, be provided by the said Wardens and Commonalty, a Box or Wheel as for a Lottery; and there shall be made out Tickets, equal to the Number of the new Bonds, rolled up,

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and fastened with Thread or Silk, on each of which Tickets shall be fairly wrote the Numbers and the principal Sums for which such Bonds were made out; and publick Notice shall be given in the London Gazette, Twenty one Days before the Time of rolling up, fastening, and putting the said Tickets into the said Box or Wheel, to the Intent that the Bond Creditors of the said Company, or so many of them as shall think fit, may be present at the Time and Place appointed by such Notice, for rolling up, fastening, and putting such Tickets into the said Box or Wheel; which Box or Wheel shall be kept at Mercers Hall, under Two different Locks; One of the Keys of which shall be kept by the Master Warden of the said Company for the time being, and the other of the said Keys by the House Warden of the said Company for the time being.

Method of drawing the Lots to be paid off.

And be it further enacted by the Authority aforesaid, That when, and so soon as the Wardens and Commonalty shall be enabled, by the Ways and Means aforesaid, to reduce and pay off the Sum of One thousand Pounds, or more, of the Principal of the said Bond Debt, publick Notice shall be given in the London Gazette Twenty one Days before the Time of drawing the Lots out of the said Box or Wheel, and of the Sum to be paid off; to the Intent that the Bond Creditors of the said Company, or so many of them as shall think fit, may be present at the Time and Place appointed by such Notice for drawing the said Lots; and the said Box or Wheel, shall then and there be opened, in the Presence of a Committee of the said Company, with Two of the Wardens, and so many of the Bond Creditors as will then be there; and the Clerk of the said Company or some other disinterested Person shall, in their Presence, draw out the Lots, so to be paid off; and thereupon the said Box or Wheel shall be locked up again, and the Keys thereof delivered to the Master Warden and House Warden of the said Company for the time being, and the said Box or Wheel shall remain at Mercers Hall, for the Purposes herein after mentioned; and after the Lots are so drawn out, publick Notice shall be given in the London Gazette, of the Bonds so to be paid off, specifying the Numbers and Sums; and at the End of Six Months after such Notice given, the Interest payable on such Bonds shall cease and determine; nevertheless, the principal Money of the said Bonds so to be paid

off, together with the Interest due thereon, at the End of Six Months after such Notice given, shall be paid to the Person or Persons demanding the same, upon their delivering up their Bonds to be cancelled, and the principal Debt so paid off shall be annihilated. And the said Wardens and Commonalty are hereby impowered and directed, from time to time, when, and so often as there shall be a further Surplus or Surplusses of One thousand Pounds or upwards, in their Hands, resulting from the said yearly Sum of Three thousand Pounds, and the Rents and Profits of their said settled Estates, to reduce and pay off, by Lot, in the Manner herein before directed, so much of the Principal of the said Bond Debt, as such Surplus and Surplusses shall, from time to time, amount unto, until the whole principal Debt shall be paid off and discharged.

The Provision made by this Act to be in full Discharge of the Charities and Debts of the Company.

And be it further enacted by the Authority aforesaid, That the Provision hereby made for Payment of the Charities, and the Bond and other Debts due from the said Wardens and Commonalty, and comprized in this Act, shall be, and is hereby declared to be, in full Satisfaction and Discharge of and for the said Charities and Debts, and the said Wardens and Commonalty, and their Successors, are and shall be hereby acquitted and discharged therefrom.

Books to be kept for entering the Receipts and Disbursements of the Surplusses arising from the 3000*l.* a Year, and from the Company's Estates.

And to the End that the Surplus of the said yearly Sum of Three thousand Pounds, remaining in the Hands of the said Wardens and Commonalty, upon the said Tenth Day of October, One thousand seven hundred and sixty three, and the several Surplusses which shall arise after the said Tenth Day of October, One thousand seven hundred and sixty three, upon the same yearly Sum, may be duly applied for the Uses and for the Purposes in and by this Act directed and appointed; it is hereby further enacted by the Authority aforesaid, That there shall, from time to time, be provided and kept by the said Wardens and Commonalty, One or more Book or Books, in which shall be entered a full and true Account of all Monies received, and to be received, upon Account of the said yearly Sum of Three thousand Pounds, and also by and from the Rents and Profits of the said settled Estates, and of all Payments made thereout, together with the Times when, and the Name and Names of the Person or Persons to whom the same shall be so paid respectively.

And

And it is hereby further enacted by the Authority aforesaid, That the Court of Assistants of the said Wardens and Commonalty for the time being, or any Nine or more of them, shall, and they are hereby directed and required to meet at Mercers Hall, in the Month of November in every Year, and shall then and there audit and examine the Accounts of the Receipts and Payments contained in such Book or Books, so to be kept as aforesaid, and the Vouchers for the respective Entries therein; which Accounts so audited and examined, shall be signed by the Persons auditing the same, or the major Part of them; and the Accounts so audited and signed, being approved of by a General Court of the said Wardens and Commonalty, shall be a full Discharge to the Parties so accounting; and a general State of the Account shall be fairly made out, and remain at Mercers Hall aforesaid, for the Use of all Parties interested therein; and it shall and may be lawful to and for the Bond and other Creditors of the said Wardens and Commonalty, or the Persons deputed by them, to inspect and peruse the said Account at all seasonable Times, without any Fee or Reward to be taken for the same; and Copies of the said general State of the Account shall be written out by the Clerk of the said Company, at the Charge of any of the Bond Creditors, and delivered to such of them as shall request the same.

Annual Meeting of the Court of Assistants in Nov. to audit the yearly Accounts.

A general State of the Account to be made out, for inspection of the Bond and other Creditors.

Provided always, That nothing in this Act contained shall extend, or be deemed or taken to extend, to alter or disannul the Clause contained in the said recited Act of the Twenty first Year of the Reign of His late Majesty King George the Second, for the Relief of the Annuitants of the said Wardens and Commonalty, so far as the same relates to the auditing and examining the Accounts of the said Annuitants.

Clause in Act 21 Geo. II. relating to auditing, &c. Accounts of Annuitants, not alter'd by this Act.

And it is hereby further enacted and declared by the Authority aforesaid, That so long as the said Wardens and Commonalty shall duly and punctually pay the Interest to grow due upon their Bond Debt, in Manner aforesaid, the said Wardens and Commonalty shall not be sued, molested, or troubled, by any of their Bond Creditors, upon Account of the Principal due to them upon their said Bonds: But in case it shall so happen, at any Time or Times hereafter, that by reason of the Fall of Rents, Loss by Fire, or other inevitable Accident, the said Wardens and Commonalty

Company not to be sued by their Bond Creditors, so long as they pay the Interest punctually;

if by Fall of Rents, or Loss by Fire, Interest cannot be duly paid, the Bond Creditors to wait.

monalty shall not be able duly and punctually to pay the Interest that shall become due upon their said Bond Debt, in Manner aforesaid, that then and in such Case the said Bond Creditors shall, and they are hereby required and directed to forbear, and wait for the Payment of such Interest, till the said Wardens and Commonalty shall be in a Condition to pay the same; so as the Incapacity of the said Wardens and Commonalty, to pay such Interest, shall appear to the Satisfaction of the Majority of the said Bond Creditors as will be present and attend to enquire into the Reality and Truth thereof, pursuant to Notice in the London Gazette, to be given by the said Wardens and Commonalty, within Three Months after such Default in Payment; any thing herein contained to the contrary notwithstanding.

Account of the Receipts and Application of the Monies to be laid every Year before Parliament.

And be it further enacted by the Authority aforesaid, That after the Tenth Day of October, One thousand seven hundred and sixty four, the said Wardens and Commonalty shall, as soon as may be, lay before each House of Parliament, an Account of the Monies by them received out of the said yearly Sum of Three thousand Pounds, from the Tenth Day of October, One thousand seven hundred and sixty three, to the Tenth Day of October, One thousand seven hundred and sixty four, with an Account of the Application thereof, and also an Account of the Application and Disposal of the Rents and Profits of their said Estates, which shall have been received by them, or any of their Officers or Agents, from the said Tenth Day of October, One thousand seven hundred and sixty three, to the Tenth Day of October, One thousand seven hundred and sixty four; and shall afterwards every Year, so long as the said yearly Sum of Three thousand Pounds continues, lay before each House of Parliament, the like Accounts of Monies received and paid to the Tenth Day of October preceding such Accounts respectively: And the said Accounts so to be laid before each House of Parliament, may be incorporated with the Accounts directed to be laid before each House of Parliament, in pursuance of an Act of the Twenty first Year of the Reign of His late Majesty King George the Second, for the Relief of the Annuitants of the said Wardens and Commonalty.

Provided always, and it is hereby further enacted and declared, That it shall and may be lawful to and

for the said Wardens and Commonalty, and they are hereby impowered and directed, out of the Rents and Profits of the Estates of the said Company, which are made subject and liable to the Payment of their Bond and other Creditors, to pay and defray the Charges and Expences incident to and attending the obtaining and passing this present Act; and also to pay and defray all Charges and Expences which the said Wardens and Commonalty shall or may, at any Time or Times hereafter, incur, sustain, or be put to, in the Execution of any of the Trusts under this present Act, or of any of the Matters therein contained; and also all necessary Reparations and Amendments to their said several Estates, and to their Hall and Chapel, and Mercers School; any thing herein contained to the contrary notwithstanding.

Company to deduct out of the Rents of their Estates the Expences of passing this Act, and Charges of executing the Trusts, and necessary Repairs.

And whereas Differences and Disputes may happen to arise between the said Wardens and Commonalty and their Bond and other Creditors, or some of them, who have or may have any Claim or Demand against the said Wardens and Commonalty, by virtue of or under this present Act; be it therefore further enacted by the Authority aforesaid, That if any such Differences or Disputes shall hereafter happen to arise, the Court of Exchequer, upon Application to be made by the Petition of the said Wardens and Commonalty, or of any One or more of their Creditors, shall and may, from time to time, in a summary Way, upon the Testimony of Witnesses upon Oath, Examination of Parties interested, or by all or any of the said Ways, or otherwise, proceed to the hearing and determining all such Differences and Disputes between the said Parties concerning the Premisses; and make such Order, Judgement, Decree, or Determination therein as shall be just; and that every such Order, Judgement, Decree, or Determination, so to be made in Pursuance of this Act, shall be as good and valid, and have the same Force and Effect, as any Order, Decree, Judgement, or Determination made in the same Matter, could or might have had, in case the same had been heard and determined according to the usual Form, Course, and Method of proceeding in the same Court.

Differences between the Company and their Creditors to be determined by the Court of Exchequer.

And be it further enacted by the Authority aforesaid, That if any Action, Plaint, Suit, or Information shall be commenced or prosecuted against any Person or Persons, for what he, she, or they shall do in Pursuance or

in the Execution of this Act; such Person or Persons
General Issue. shall or may plead the General Issue thereunto, and upon Trial of any Issue joined, may give this Act and the Special Matter in Evidence; and if the Plaintiff or Prosecutor shall become nonsuit, or forbear further Prosecution, or suffer Discontinuance, or if a Verdict pass against him, the Defendant or Defendants shall recover
Treble Costs. Treble Costs, for which he, she, or they, shall have the like Remedy as in any Case where Costs by Law are given to Defendants.

Publick Act. And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Publick Act, and shall be taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

The SCHE-