



ANNO TERTIO

GEORGIIV. REGIS.

Cap. xx.

An Act for altering and enlarging the Powers of an Act made in the Forty-sixth Year of King *George* the Third, for repairing the Parish Church of *Great Yarmouth*, in the County of *Norfolk*, and rebuilding the Tower thereof. [15th *May* 1822.]

WHEREAS by an Act made in the Forty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing the Parish Church of Great Yarmouth, in the County of Norfolk, and rebuilding the Tower thereof*, certain Persons in the said Act named, and their Successors to be nominated or appointed by virtue of the same Act, were declared to be Trustees for repairing the said Church, and for taking down and rebuilding the Tower, and erecting a new Spire thereon, and for afterwards keeping the said Church in Repair, and otherwise carrying the said Act into Execution: And whereas by the said recited Act a Duty of One Shilling was granted and made payable for every Chaldron of Sea Coals, Culm, or Cinders, and for every Chaldron of Welch Coals which should be unladen and delivered ashore within the said Town of *Great Yarmouth*, and the said Trustees were authorized once or oftener in every Year, to make an Assessment upon all Lands, Houses, Tenements, and Hereditaments within the Parish of *Great Yarmouth*, (not exceeding in any one Year One Shilling in the Pound); and the said Trustees were also authorized to borrow and take up at Interest the Sum of Eight thousand Pounds on the Credit of the said Duties and Rates: And whereas notwithstanding the said several Duties and Rates have been duly applied pursuant to the Directions of the said Act, the South-east Gable of the said Church is in a ruinous and dangerous State, and the said Church is otherwise out of Repair and requires immediate Reparation, and the said several Duties and Rates are found wholly inadequate to the completing such Repairs, and to the future Support of the said Church, and unless the Powers and Provisions of the said recited

[Local.] 7 S Act

Trustees.

Act are altered and enlarged, the said Church will inevitably fall into Decay and Ruin : 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 *John Mortlock Lacon, Edward Symons Ommanney, William John Hurry, Henry Glasspoole, Edward Youell, Robert Wall, John Brown, Harry Verelst Worship, Samuel Higham Aldred,* and their Successors, to be nominated and appointed in manner in the said recited Act mentioned, shall and they are hereby added to and joined with the surviving or remaining Trustees for carrying the said Act and this Act into Execution, and shall be and are hereby empowered to act in the Execution of the said Act and this Act, as fully and effectually to all Intents and Purposes, as if they had been appointed Trustees in or by the said recited Act ; and that the said recited Act, and all and every the Duties, Rates, Clauses, Powers, Exemptions, Penalties, Forfeitures, Rules, Remedies, Directions, Payments, Provisions, Restrictions, Articles, Matters, and Things whatsoever therein contained (save and except such Parts as are hereby varied, altered, or repealed), shall be and are hereby declared to be in full Force and Effect, and to be applicable in all Cases to this Act, and to the carrying the same into Execution, in as full, ample, and beneficial Manner, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act.

Additional Trustees.

II. And be it further enacted, That *Nathaniel Barrett Palmer, Simon Cobb, Thomas Lettis the younger, Henry Emes, Richard Hammond the younger, Grocer, James Palmer, George Errington, and Samuel Barber,* and their Successors, to be elected in manner herein-after mentioned, shall be, and they are hereby appointed Trustees, in addition to the Trustees herein-before named and appointed ; and when and so often as any of the Trustees last before named shall die, or shall refuse or become incapable to act, it shall be lawful for the Inhabitants of the said Parish in Vestry assembled, within One Calendar Month after such Death, Refusal, or Incapacity shall happen, to nominate, elect, and appoint one other Person to be a Trustee in the Room or Stead of such Trustee so dying, refusing, or becoming incapable to act, and Notice of the Time of the Meeting for every such Election shall be given by the Clerk, to the Trustees for the Time being (or in case of his Refusal or Neglect, by any Two or more of the Inhabitants of the said Parish), by affixing such Notice Ten Days at least before such Meeting on the principal outer Door of the said Church, and of *Saint George's Chapel*, and other Places of Divine Worship within the said Parish.

Repeal of Provision respecting Aldermen and Common Councilmen.

III. And whereas it is by the said Act enacted, that all Vacancies happening amongst the said Trustees, being Aldermen, and their Successors, shall be filled up by the Election of other Persons, being then Aldermen of the said Borough, and that all Vacancies happening amongst the said Trustees, being Common Councilmen, and their Successors, shall be filled up by the Appointment of other Persons, being then Common Councilmen of the said Borough : And whereas the said Provision has been found inconvenient ; be it therefore enacted, That the said Provision shall be, and the same is hereby repealed.

IV. And it is hereby enacted, That all Vacancies from Time to Time arising or happening amongst any of the said Trustees named in the said recited Act or this Act, or their Successors, being Aldermen, shall, until their Number be reduced to Ten, be filled up by the Election and Appointment of some other Persons then being Common Councilmen of the said Borough; and when the Number of the said Trustees, being Aldermen, shall be reduced to Ten, all Vacancies from Time to Time arising amongst such Trustees, shall be filled up by the Election and Appointment of some other Persons, being Aldermen of the said Borough; and that all Vacancies arising or happening amongst any of the said Trustees named in the said recited Act or this Act, or their Successors, being Common Councilmen of the said Borough, shall be filled up by the Appointment of some other Persons, being then Common Councilmen of the said Borough.

Prescribing
Mode of fill-
ing up Va-
cancies of
Aldermen
and Common
Councilmen.

V. And be it further enacted, That the said Trustees shall meet at the Town Hall in *Great Yarmouth* aforesaid, on the *Monday* Month next after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon, and Two of the Clock in the Afternoon, for the Purpose of carrying the said recited Act and this Act into Execution, without any Notice being given to the said Trustees of such Meeting; and that all other Meetings of the said Trustees shall be convened and held in the Manner prescribed by the said recited Act, and shall be subject to all the Provisions, Regulations, and Restrictions therein contained in regard to such Meetings; and that no Meeting to be held under the said Act or this Act shall be competent to act in the Execution thereof where the Number of the said Trustees present at such Meeting shall be less than Seven.

Meetings of
Trustees.

VI. And be it further enacted, That in case any Three or more Trustees, present at any Meeting of the Trustees to be held in pursuance of the said recited Act and this Act, shall dissent from any Order, Appointment, or Proceeding made by the Majority of the Trustees assembled at such Meeting, the Dissent of such Three or more Trustees shall be forthwith entered in the Book of Proceedings relative to the Execution of the said recited Act and this Act; and thereupon the carrying into Execution such Order, Appointment, or Proceeding, shall be suspended; and it shall be lawful for the said Three or more dissentient Trustees to appeal against such Order, Appointment, or Proceeding, to the Justices of the Peace at the first General or Quarter Sessions of the Peace to be holden for the said Borough of *Great Yarmouth*, after the Expiration of Fifteen Days next after such Cause of Appeal shall have arisen, the said Three or more dissentient Trustees having, within Five Days after the Day on which such Cause of Appeal shall have arisen, given Notice in Writing to the Clerk to the said Trustees of their Intention to appeal; and the said Justices at such Sessions, upon due Proof of such Notice, are hereby authorized to hear and determine the Matter in Appeal in a summary Way, and to make such Determination therein, and to award such Costs, to be paid by either of the said Parties to the other, or otherwise to direct all the Costs attending such Appeal on both or either Sides to be paid and defrayed out of the Monies to be raised under the Authority of the said recited Act and this Act, as the said Justices shall judge proper; and such Determination of the

Three Trus-
tees may ap-
peal against
Order of the
Trustees.

the said Justices shall be final, binding, and conclusive upon all Parties; provided that in case the said Three or more Trustees, so dissenting from any Order, Appointment, or Proceeding of any Meeting of the said Trustees, shall not give Notice of Appeal therefrom within the Time prescribed, or, having given such Notice, shall not proceed in their Appeal at the then next General or Quarter Sessions to which the Appeal is given, then and in either of those Cases, the said Order, Appointment, and Proceeding shall be valid, and have the same Effect to all Intents and Purposes as if no Dissent had been made thereto: Provided that nothing herein contained shall extend to enable any Justice of the Peace for the said Borough, who shall be a Trustee under the said recited Act or this Act, who shall be present at the Meeting at which such Order, Appointment, or Proceeding shall have been made, and dissented from, and appealed against, to sit on the hearing of such Appeal.

Clerk not to act as Treasurer, and vice versâ.

VII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been or may be appointed to act as their Clerk, in the Execution of the said Acts and this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of the said Acts and this Act, or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said Act or this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of the said Act or this Act, every Person so offending shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Impar lance shall be allowed.

Accounts to be kept of Receipts and Disbursements, which shall be open to the Inspection of the Trustees and Creditors.

VIII. And be it further enacted, That the said Trustees shall, and they are hereby required from Time to Time, and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended, for or on account of the said Church, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Rates hereby granted, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit, or shall not permit the said Trustees, or such Creditors, or any of them, to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and recovered in manner herein-after mentioned.

IX. And

IX. And be it further enacted, That the said recited Act and this present Act, and the Duties and Rates to be levied under the Authority of the same, shall and are hereby declared to be subject and liable to the Payment, as well of all Monies now due and owing on the Credit of the said recited Act, or which have been expended by the said Trustees under the Powers or Directions of the same, as also of all Monies which shall or may hereafter be borrowed and become due on the Credit of the said recited Act or this Act, and all Interest due, and to become due for the same respectively.

Duties to be
liable to the
Payment of
Debts.

X. And be it further enacted, That over and above all other Duties and Rates now due and payable under and by virtue of the said recited Act, the said Trustees shall, and they are hereby required, Once or oftener in every Year, as they shall see Occasion, by Writing under their Hands, or the Hands of any Seven or more of them, to make or cause to be made an Assessment of or Rate upon all Lands, Houses, Tenements, and Hereditaments, within the said Parish of *Great Yarmouth*, according to the annual Rent or Value of the same Premises respectively, not exceeding in any one Year the Sum of One Shilling in the Pound (over and above the One Shilling on the Pound authorized to be raised by the said recited Act) upon such annual Rent or Value, as the said Trustees shall think proper and necessary; such annual Rent or Value to be from Time to Time ascertained by or according to the respective Rents, at or upon which such Lands, Houses, Tenements, and Hereditaments respectively, shall from Time to Time be rated or assessed in and by the last Rate or Rates made for or towards the Relief of the Poor of the said Parish; and the First Year for which such additional Rates or Assessments shall be made, shall commence at and be computed from the Twenty-ninth Day of *September* One thousand eight hundred and twenty-one; and it shall and may be lawful to and for the said Trustees to order and direct the Collector or Collectors to be appointed in that Behalf for the Time being, to collect and receive the respective Sums of Money made payable by such Rates or Assessments from the Tenants or Occupiers of such Lands, Houses, Tenements, and Hereditaments, so to be assessed or rated as aforesaid.

For additional
Rate on
Lands, &c.

XI. And be it further enacted, That the said Assessments or Rates to be raised under the Authority of this Act shall be and they are hereby vested in the said Trustees for the Time being, and may be demanded, taken, levied, and recovered, in the same Manner, by the same Means, and under the same Regulations and Provisions, in all respects, as the Rates on Lands, Houses, Tenements, and Hereditaments, to be raised under the said recited Act, are thereby directed to be assessed, levied, and recovered; and the said Assessments or Rates to be raised under the Authority of this present Act, when collected and received, shall be paid by the Person or Persons appointed by the said Trustees to collect and receive the same, into the Hands of the said Trustees, or to such Person or Persons as they shall appoint for that Purpose, and the same shall be applied by the said Trustees in defraying the Costs, Charges, and Expences of obtaining this Act, in Payment of all Monies due and owing from the said Trustees on the Credit of the said recited Act or this Act, or expended by them, and of repairing

For vesting
the Rates in
the Trustees.

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the said Church, and for the Purposes of the said recited Act and this Act, and carrying the same into Execution.

Persons removing may be followed.

XII. Provided always, and be it enacted, That in case any Person who, having been so rated or assessed as aforesaid, shall quit his or her House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Brew-house, Granary, Malt-house, or other Building, and shall remove from and cease to reside in the said Parish, before he, she, or they shall have paid such Rates or Rate, or proportionable Part or Parts thereof, by him or her due and payable, and shall afterwards refuse and neglect to pay the same when demanded, in manner directed by the said recited Act, it shall and may be lawful for the said Collector and Collectors, by Warrant under the Hand and Seal of any Justice of the Peace for the said Borough of *Great Yarmouth*, countersigned or indorsed by any Justice of the Peace for the County, Riding, Division, Liberty, Town, or Place, where such Person shall remove to or reside, or where any Goods or Chattels of such Person shall be found, (which Warrant such Justice of the Peace for the said Borough of *Great Yarmouth* is hereby required to grant upon Proof made of the Sum so due before him upon the Oath of a credible Witness or Witnesses, and such Justice of the County, Riding, Liberty, Town, or Place, where such Person shall remove to or reside is hereby authorized to countersign and indorse) to levy such Rate or Rates, or proportionable Part or Parts thereof, by Distress and Sale of the Goods and Chattels of such Person, rendering the Overplus, and the Goods and Chattels remaining (if any) after the Payment of the Money due in respect of any such unpaid Rate or Rates, or proportionable Part or Parts, and all Expences relating to the Recovery thereof, unto the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Persons excused from Poor's Rates not to be rated.

XIII. Provided always, and be it further enacted, That no Rate or Assessment shall by virtue of this Act be charged or made payable by any Person who, by reason of his or her Poverty only, is or shall be excused from paying any Rate made for the Relief of the Poor.

Chaldron of Welch Coals to contain a certain Weight.

XIV. And be it further enacted, That from and after the passing of this Act the Chaldron of Welch Coals, on which a Duty of One Shilling is granted by the said recited Act, shall, for the Purposes of the same Act, contain Twenty-five Hundred Weight, according to the customary Measure of the said Town of *Great Yarmouth*, instead of Fourteen Barrels as therein specified, and be weighed or measured accordingly.

Prescribing the Mode of measuring Coals.

XV. And for the better securing of the Duties by the said recited Act imposed, be it further enacted, That no Coals, Culm, or Cinders which shall hereafter be imported or landed at *Great Yarmouth* aforesaid, or which shall hereafter be retailed or sold out of the said Town, shall be measured by any Person or Persons other than One of the Sworn Meters of the said Town, or with any Measure other than the usual lawful sealed Measures belonging to the said Town; and in case any Coals, Culm, or Cinders shall be imported or landed at *Great Yarmouth* aforesaid, without being measured by a Sworn Meter, or by any other Measure than

than the said lawful sealed Measure belonging to the said Town, and without a Certificate from the said Collector or Receiver of the said Duties as mentioned in the said recited Act, all such Coals, Culm, or Cinders shall be forfeited, and the Owner or Owners of all such Coals, Culm, or Cinders shall, over and above the same, forfeit and pay any Sum not exceeding One Shilling *per* Bushel for every Bushel of the same Coals, Culm, or Cinders; and it shall be lawful for the Collector or Receiver for the Time being of the Duty on Coals granted by the said recited Act, to seize all such Coals and to sell the same; and the Produce thereof, together with the said Penalty, when recovered, shall be paid into the Hands of the said Trustees, for the Purposes of the said recited Act and this Act.

XVI. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, from Time to Time as Occasion may require, to borrow and take up at Interest such Sum or Sums of Money, not exceeding (with the Sum of Eight thousand Pounds authorized to be borrowed under the said recited Act), the Sum of Twelve thousand Pounds, and for securing the Repayment of the Money so to be borrowed, with the Interest thereof, it shall and may be lawful to and for the said Trustees, or any Seven or more of them, to assign over the several Duties and Rates to be levied and collected by virtue of the said recited Act and this Act, to the several Persons who shall advance and lend such Money, or to his, her, or their Nominee or Nominees, as a Security for the Principal Money to be advanced, with legal Interest for the same; and the Charges and Expences of such Assignments thereof shall be from Time to Time defrayed by the said Trustees out of the Money so borrowed; and every such Assignment shall be made in the Form in the said recited Act set forth and prescribed, and all such Assignments shall be numbered in arithmetical Progression, whereof the common Excess or Difference shall be always One; and every such Security shall be good, valid, and effectual, and shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, or Assigns to the Payment thereof, and to all Profit and Advantage thereof, according to the true Intent and Meaning of this Act.

Trustees may borrow an additional Sum.

XVII. And be it further enacted, That in case the said Trustees shall think it advisable or more advantageous to raise all or any Part of the Money to be borrowed under this Act, by granting Annuities for One Life or Two Lives, it shall and may be lawful for the said Trustees, or any Seven or more of them, and they are hereby authorized, by Writing under their Hands and Seals, to grant any Annuity or Annuities to any Person or Persons who shall contribute, advance, lend, and pay into the Hands of the Treasurer or Treasurers of the said Trustees any Sum or Sums of Money for the absolute Purchase of any Annuity or Annuities to be paid and payable during the natural Life or Lives of every such Contributor or Contributors, or the natural Life or Lives of such Person or Persons as shall be nominated by or on the Behalf of such Contributor or Contributors, at the Time of Payment of his, her, or their Contribution or Purchase Money, and the

Grant of Annuities.

the Expence of every such Grant shall be paid by the Trustees, out of the Monies so contributed; and the Grant of every such Annuity or Annuities shall be in the Form in the said recited Act set forth and prescribed.

Limiting the
Rate of An-
nuities.

XVIII. And for preventing any improvident Grants of Annuities, be it further enacted, That no Annuities shall be granted by virtue of the said Act or this Act, for any single Life, at any higher Rate or Rates than the following; (that is to say), where the Age of the Annuitant or Person for whose Life the Annuity shall be granted, shall not exceed Thirty-five Years, the Annuity to be granted shall not exceed the Rate of Eight Pounds Three Shillings for each One hundred Pounds of the Consideration Money paid for the Purchase thereof; where the Age of such Person shall not exceed Forty Years, the Annuity to be granted shall not exceed the Rate of Eight Pounds Ten Shillings for each One hundred Pounds of such Consideration Money; where the Age of such Person shall not exceed Forty-five Years, the Annuity shall not exceed the Rate of Nine Pounds for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Fifty Years, the Annuity shall not exceed the Rate of Nine Pounds Twelve Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Fifty-five Years, the Annuity shall not exceed the Rate of Ten Pounds Eight Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Sixty Years, the Annuity shall not exceed the Rate of Eleven Pounds Eight Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Sixty-five Years, the Annuity shall not exceed the Rate of Twelve Pounds Seventeen Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Seventy Years, the Annuity shall not exceed the Rate of Fifteen Pounds One Shilling for each One hundred Pounds of the Consideration Money; and where the Age of such Person shall not exceed Seventy-five Years, the Annuity shall not exceed the Rate of Eighteen Pounds Ten Shillings for each One hundred Pounds of the Consideration Money.

Securities
may be trans-
ferred.

XIX. And be it further enacted, That all Securities for the Money to be borrowed at Interest, or to be raised by the granting Annuities as aforesaid, may be transferred in the Manner and by the Form prescribed by the said recited Act.

Money ad-
vanced to be
paid to the
Treasurer.

XX. And be it further enacted, That all Money which may be borrowed, advanced, or lent as aforesaid, on the Credit of the said Duties or Rates, shall be paid to the Treasurer or Treasurers to the said Trustees, or to such Person or Persons as they shall appoint, and the same shall be applied and disposed of in defraying the Costs, Charges, and Expences of obtaining this Act, and of repairing the said Church, and for the general Purposes of the said recited Act and this Act, and carrying the same into Execution.

Repeal of
Provision for
paying off
100*l.* per
Annum.]

XXI. And whereas it is by the said Act enacted, that the said Trustees shall yearly pay off and discharge the Sum of One hundred Pounds at the least of the Monies borrowed on the Credit of the
said

said Act, together with the Interest due thereon : And whereas the said Provision has been found inconvenient ; be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

XXII. And be it further enacted, That the said Trustees shall, at the End of the First Year from the Day of the Commencement of this Act, and Yearly and every Year thereafter, pay off and discharge the Sum of Two hundred Pounds at the least, of the Monies borrowed on the Credit of the said recited Act and this Act, or of either of them, together with the Interest due thereon ; and shall for that Purpose cause the Numbers of all Assignments or Securities granted and then in force, for securing the Principal Monies lent and advanced upon the Credit of the said Duties and Rates, (except the Monies lent upon Annuities for Lives) to be written upon distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled up in the same Form, as near as may be, and be put into a Box or Wheel, and the Number or Numbers of the said Assignments or Securities, to the Amount then intended to be paid off, shall be drawn separately out of the said Box or Wheel by the Clerk to the said Trustees ; and after every such Ballot, the said Trustees shall cause Notice, signed by their Clerk, to be immediately given to or left at the last or usual Place of Abode of the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot ; and every such Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same shall be paid on a Day and at a Place to be specified in such Notice, such Day not being sooner than Three Calendar Months after the Day of giving or leaving such Notice as aforesaid, and the Interest of the Principal Money so to be paid off, shall, from and after the Day to be so specified, cease, and be no longer paid or payable, unless such Money shall be demanded pursuant to such Notice and not paid ; but the Principal Money, in respect whereof such Notice shall be given, and also the Interest thereof to the Day to be so specified, shall nevertheless be payable on Demand : Provided always, that nothing herein contained shall extend or be construed to extend so as to enable or require the said Trustees to pay off and discharge any Monies lent on the Credit of the said Duties or Rates, by way of Annuity, until all the other Creditors on the said Duties or Rates shall be paid off and discharged, and except the Party or Parties so lending the Money by way of Annuity shall agree, or shall have agreed to accept the Sum or Sums of Money offered, or to be offered by the said Trustees for the Re-purchase of such his, her, or their Annuity or Annuities.

XXIII. And for the more effectual securing the Payment of the said Sum Yearly to the said Creditors under the said recited Act or this Act ; be it enacted, That the said Clerk to the said Trustees shall Yearly and every Year, immediately after the said Ballot has been had, give Notice to the Collector or Receiver for the Time being of the Duty on Coals, Culm, and Cinders, granted by the said recited Act, of the Name or Names of the Person or Persons entitled by such Ballot to receive his, her, or their Principal Money, and specifying the Amount to be paid such Person or Persons for such Principal and the Interest due thereon,

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Directing the Collector of Duties to pay the Money.

thereon, together with the Day fixed by the said Trustees for the Payment thereof; and from and after such Notice, and on the Day specified therein for Payment, the said Collector or Receiver shall, and he is hereby directed to pay to the Person or Persons described in such Notice the Principal Money and Interest therein set forth, by an Appropriation of such Part of the said Duties on Coals, Culm, and Cinders, to be by him received and collected, as shall be necessary for such Purpose; and the said Collector or Receiver shall, on making such Payments, demand and take into his Possession the Assignment or Assignments by which the said Money shall be secured, from the Person or Persons entitled to and receiving the same; and shall take his, her, or their Receipt, on the Back of each Assignment, for such Payment; and on Production and Delivery to the said Trustees by the said Collector or Receiver of the said Assignments to be by him paid as aforesaid, with Receipts indorsed thereon in manner before prescribed, the same shall be a complete Discharge to such Collector or Receiver for so much of the said Duties as shall have been by him paid and appropriated to the Payment and Discharge of such Securities.

Duties to
cease on
Payment of
Debt.

XXIV. Provided always, and be it further enacted, That the Duties and Rates granted by the said recited Act and this Act, and directed to be raised, assessed, levied, collected, and paid, shall continue to be raised, assessed, levied, collected, and paid, until all the Monies borrowed, or Annuities granted upon the Credit of the said Duties and Rates, shall be paid off and determined, and no longer, and immediately thereupon the said recited Act and this Act, and every Clause, Matter, and Thing therein and herein contained shall cease, end, and determine.

Church Rate
may be levied
although
Duties not
determined.

XXV. And be it further enacted, That in case any Accident or Casualty shall arise to the said Church, or any Part thereof, through Storms or otherwise, or the same, through inevitable Decay, shall fall into such a State of Dilapidation that the Rates and Duties to be raised under the said recited Act and this Act shall be insufficient to the doing such Repairs to the said Church as may be essential to its Preservation, and the Safety of the Inhabitants attending Divine Service there, that then and in such Case, and so often as the same shall happen, (notwithstanding the said recited Act, and the Duties and Rates thereby and by this Act granted, shall not have been determined, and the Provisoes in the said recited Act contained to the contrary) it shall and may be lawful for the Churchwardens of the said Parish of *Great Yarmouth*, and the Parishioners of the same Parish, in Vestry assembled, to charge, assess, collect, and levy such Sum or Sums of Money as shall appear to them to be needful to meet the Emergency which may have arisen, and to provide for the doing of such Repairs as last aforesaid, by an equal Assessment on all Lands, Tenements, and Hereditaments within the said Parish, in such Manner, and by the same Means, to all Intents and Purposes as the Churchwardens of the said Parish and Vestry would have been authorized to raise by Rates for the Repairs of the said Parish Church, under any Laws or Statutes now in force, in case the said recited Act or this Act had not been made, and with the like Powers for the assessing, levying, and collecting the said Rates,

to be raised under the Authority aforesaid, as in the Case of any other Church Rate.

XXVI. And be it further enacted, That the Monies to be raised by any Rate or Rates to be made by the said Churchwardens and Parishioners in Vestry assembled as aforesaid, shall be laid out and expended by the said Churchwardens for the Purposes for which the same shall be raised, under the Directions of Vestry Meetings, from Time to Time to be held for that Purpose; and that the Churchwardens shall Yearly account to the Parishioners in Vestry for all Monies received from such Rate or Rates, and expended by them or remaining in their Hands: Provided always, that in case more Monies shall be raised by any Rate or Rates to be made by the said Churchwardens and Vestry than shall be necessary for the Purposes intended, that then the Surplus of such Monies shall be paid into the Hands of such Person or Persons as the said Parishioners in Vestry assembled shall direct, and shall from Time to Time be applied and laid out under the Direction of Vestry Meetings, in aid of the said recited Act or this Act, or of any other Parish Fund or Parochial Purpose within the said Town.

Monies raised by Church Rate to be laid out under Direction of Vestries.

XXVII. And be it further enacted, That the said Trustees shall and they are hereby directed and required, on or before the Twenty-fourth Day of *June* in every Year from the passing of this Act, commencing on the Twenty-fourth Day of *June* One thousand eight hundred and twenty-three, to make out a full, true, and particular Account of all the Monies received by them in pursuance of the said recited Act or this Act within the preceding Year, and of the Application of every Part thereof; and that such Account shall lie in the Office of the Clerk to the said Trustees at reasonable Hours of the Day, open for the Inspection of any Inhabitants of the said Parish, for the Space of One Calendar Month after public Notice of such Account having been made up shall have been given, by Notices to be affixed on the principal Door of the Church, and *Saint George's* Chapel, and of the other principal Places of Divine Worship within the said Parish.

Trustees Accounts to be open for Inspection of Inhabitants.

XXVIII. And be it further enacted, That if any Inhabitant or Inhabitants of the said Parish shall object to the Account of the said Trustees, or to any Item or Charge therein contained, such Inhabitant or Inhabitants may appeal against such Account, or to any Item or Charge therein contained, to the Justices of the Peace at the First General or Quarter Sessions to be holden for the County of *Norfolk*, or for the Borough of *Great Yarmouth* aforesaid, (at the Option of the Party appealing), next after the Expiration of Forty-two Days from the Time the Public Notice of such Account having been made up shall have been given, subject to such and the like Regulations for giving Notice of Appeal, and entering into Recognizance to try the said Appeal, as are fixed and established by the said recited Act with respect to Appeals given by the same Act; and the said Justices at such Sessions are hereby authorized and required to hear and determine the Matter of such Appeal in a summary Way, and to make such Order or Determination thereon, and to confirm and allow, or to disannul and disallow the said Account, or any Item or Charge therein

Accounts of the Trustees subject to Appeal.

therein contained, and to award such Costs to be paid by either of the Parties to the other, or otherwise to direct all Costs attending such Appeal, on both or either Sides, to be paid and defrayed out of the Monies to be raised under the Authority of the said recited Act and this Act, as they the said Justices shall judge proper; and such Order or Determination of the said Justices shall be final and conclusive to all Parties: Provided always, that nothing in this Act contained shall abridge or lessen the Power of Appeal contained in the said recited Act.

In case of Nonpayment of Compensation for Damages, or Injury done by the said Trustees, &c. the same to be levied by Distress of the Goods of such Trustees, or their Treasurer.

XXIX. Provided always, and be it further enacted, That when and so often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same within Five Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices from the Clerk to the said Trustees or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case, the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose, by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case, such Overplus shall be returned on Demand, to the said Trustees or their Treasurer for the Time being, as the Case may be.

Public Act.

XXX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

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