



ANNO · QUADRAGESIMO · SEXTO

# GEORGI III. REGIS.

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## Cap. 61.

An Act for repairing the Parish Church of *Great Yarmouth*, in the County of *Norfolk*, and rebuilding the Tower thereof. [9th June 1806.]

**W**HEREAS the Parish of *Great Yarmouth*, in the County of *Norfolk*, is large and populous, and the Church thereof is in a very decayed State, and the Spire thereof has been taken down for the Safety of the Inhabitants attending Divine Service, and the Tower thereof is in a very ruinous State; and it is highly necessary that the said Church should be effectually repaired, and the said Tower taken down, and together with the Spire thereof rebuilt in a substantial Manner; but as such necessary Purposes cannot be effected without the Aid and 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 Mayor of the Borough of *Great Yarmouth*, in the County of *Norfolk*, for the Time being, Sir *Edmund Lacon* Knight, *William Fisher* the Younger, *Jacob Preston*, *Benjamin Fielding*, *Dover Colby*, *Samuel Barker*, *John Fisher*, *Robert Cory*, *Francis Riddell Reynolds*, and *Edmund Knowles Lacon* Esquires, Aldermen of the said Borough, and their Successors to be nominated and appointed by virtue of this Act, the Minister of the said Parish for the Time being, and *William Norfor*, *Eli Williams Morgan*, *David Absolon*, *Robert Cory* the Younger, *William Palgrave* the Younger, *Isaac Preston* the Younger, *John Goate Fisher*, *Edmund Preston*, *Samuel Tolver*, and *Thomas Bateman*, Gentlemen, Common Councilmen of the said Borough, and *Samuel Bell*, *Giles Borrett*, *Richard Ferrier*, *Thomas Hurry*, *James Hurry*, *Thomas Jay*, *John Lacon*, *Thomas Penrice*, *Samuel Paget* the Younger, *William*

[Loc. & Per.] Trustees.

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*liam Danby Palmer, John Danby Palmer, James Sayers, John Shelly the Younger, William Steward, Timothy Steward, James Symonds, David Tolme, Dawson Turner, Ralph Ward, and John Hanbury Williams* Gentlemen, Inhabitants of the said Parish, and their Successors, to be nominated or appointed by virtue of this Act, shall be and they are hereby 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 this Act into Execution.

No Act of the Trustees valid, unless at a Meeting.

Majority empowered to act.

II. And be it further enacted, That no act of the said Trustees shall be or be deemed to be good, valid, or effectual, unless the same be done at some Meeting to be holden in pursuance of this Act, (except as is herein excepted); and that all the Powers and Authorities by this Act granted to the said Trustees, shall and may be exercised, from Time to Time, by the major Part of them who shall be present at any Meeting, to be holden in pursuance of this Act, the Number of Trustees present at every such Meeting not being less than Seven, and all the Orders and Proceedings of the major Part of the Trustees present at such their several Meetings, shall have the same Force and Effect as if the same were made or done by all such Trustees for the Time being, (save and except as may be herein excepted,) and at every Meeting of the said Trustees, the Mayor for the Time being, if present, and in his Absence the Trustee next named or appointed in and by this Act, who shall be present at such Meeting, shall be Chairman, and when and as often as it shall happen that there shall be an Equality of Votes at any such Meeting upon any Question, (including the Vote of the Chairman,) then, and in every such Case, it shall and may be lawful to and for such Chairman to give the decisive or casting Vote.

Power to appoint new Trustees.

III. And be it further enacted, That if any One or more of the said Trustees hereby appointed, (save and except such Persons as are hereby declared to be Trustees by virtue of their respective Offices,) or of their Successors, to be elected in Manner herein mentioned, shall die, refuse, or become incapable to act in the Execution of this Act, then, and in every such Case, it shall and may be lawful to and for the surviving or remaining Trustees, from Time to Time, to elect and appoint One other Person to be a Trustee in the Room of each Trustee so dying, refusing, or being incapable of acting, and Notice of the Time and Place of the Meeting for every such Election shall be signed by the Clerk to the said Trustees for the Time being, and shall be affixed on the Door of the Parish Church of *Great Yarmouth* aforesaid, Fifteen Days at least before such Meeting; and every Person, so elected a new Trustee as aforesaid, shall be, and he is hereby empowered to act in the Execution of this Act, to all Intents and Purposes, in as full and ample a Manner as the Trustee in whose Room or Stead he shall have been so elected.

Manner of filling up Vacancies of Trustees, being Alder-

IV. Provided always, and it is hereby enacted, That all Vacancies, arising or happening amongst any of the said Trustees, being Aldermen, and their Successors, shall be filled up by the Election and Appointment of some other Persons, then being Aldermen of the said Borough; and that  
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all Vacancies, arising or happening amongst any of the said Trustees, being men and Common Councilmen, and their Successors, shall be filled up by the Appointment of some other Persons then being Common Councilmen of the said Borough.

V. Provided also, and be it further enacted, That all Vacancies, arising or happening amongst any other of the said Trustees, nominated or appointed by virtue of this Act, shall be filled up by the Appointment of some other Persons, not being Aldermen or Common Councilmen of the said Borough.

VI. And be it further enacted, That such of the said Trustees, as are or shall be Justices of the Peace, shall and may in their respective Jurisdictions, and they are hereby empowered to act as Justices of the Peace in the Execution of this Act, notwithstanding their being Trustees, except only in such Cases where they shall be personally interested.

VII. And be it further enacted, That the said Trustees shall meet at the New Hall, in *Great Yarmouth* aforesaid, on the Twenty-sixth Day of *June* One thousand Eight hundred and Six, between the Hours of Ten of the Clock in the Forenoon, and Two of the Clock in the Afternoon, and shall then and there proceed to carry this Act into Execution, and in case none of the said Trustees shall attend such Meeting, then, and in such Case, such Meeting shall be and be deemed to be adjourned to the next Day, (Sunday, Good Friday, Christmas Day, and all Days on which Divine Service is ordered by Authority to be celebrated, only excepted, and then to the next Day,) and so *toties quoties*, until a sufficient Number of Trustees shall attend at such Meeting, to act in the Execution of this Act, or until a Trustee or Trustees shall attend and adjourn such Meeting; and the said Trustees shall and may at such Meeting and at their several Meetings, to be holden for the Purpose of carrying this Act into Execution, from Time to Time, adjourn themselves, and appoint their next Meeting to be holden there, or at any other Place in the said Parish, as to the said Trustees shall seem convenient, and at such Time as to them shall seem proper; and if it shall so happen, that there shall not appear at any such Meeting a sufficient Number of Trustees to act in the Execution of this Act, the Trustee or Trustees then present, or the Clerk to the said Trustees, shall from Time to Time, as often as the Case shall happen, adjourn such Meeting to some other Day, within Twenty-eight Days then following, to be holden at the same Place, and the said Clerk shall cause Notice thereof to be affixed on the Door of the said Parish Church, at least Ten Days before the Day to which such Meeting shall be so adjourned, and no Person shall be capable of acting as a Trustee in the Execution of this Act during such Time as he shall hold any Place of Profit under this Act.

VIII. And be it further enacted, That if, after any Adjournment of any Meeting as aforesaid, it shall at any Time or Times be thought necessary that a Meeting of the Trustees should be holden on an earlier Day than the Day to which such Meeting shall have been adjourned, then, and in every such Case, the Clerk to the said Trustees, (an Order in Writing, signed.

signed by Three or more of the said Trustees, mentioning the Time and Place, and Purpose of such earlier Meeting being given to him, or left at his last or usual Place of Abode,) shall forthwith give Notice of the Meeting to be holden on such earlier Day, in Manner before directed, and of the Time and Place which shall be mentioned in the Order of the said Trustees, (such Time not being less than Ten Days after such Notice,) and all Proceedings of the said Trustees at such earlier Meeting shall be as good and valid as they would have been in case such Trustees had met in pursuance of any Adjournment.

No Order to be revoked, unless at a Meeting for the Purpose, nor unless a Majority of the Trustees consent.

IX. And be it further enacted, That no Order, Appointment, or Proceeding made at any Meeting of the Trustees holden in pursuance of this Act, shall be revoked or altered at any subsequent Meeting, unless at a Meeting to be holden for that express Purpose, nor unless Notice specifying the Revocation or Alteration intended to be made, signed by the Clerk to the said Trustees, shall be affixed on the Door of the said Parish Church, at least Fifteen Days before such subsequent Meeting, nor unless a Majority of the Trustees present at such subsequent Meeting shall decide in favour of such Revocation or Alteration, and a greater Number of Trustees shall be present at such subsequent Meeting than were present at the Meeting when such Order, Appointment, or Proceeding was had or made.

Proceedings to be entered.

X. And be it further enacted, That the said Trustees shall cause to be provided and kept a proper Book, or Books, and fair and regular Entries to be made therein of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Names of all such Trustees as shall be present at their several Meetings; and all Entries in such Book or Books, being signed by the Chairman of such Meeting, shall be deemed Originals, and shall be allowed to be read as Evidence in all Causes, Suits, and Actions touching or concerning any Thing done in pursuance of this Act; and such Book or Books shall, at all the Meetings of the said Trustees, be open and liable to the Inspection of all and every the said Trustees, and of the Creditors on the Duties hereby granted and made payable; and that any of the said Creditors shall and may have and take Copies thereof, paying for every Copy, not exceeding Seventy-two Words, the Sum of Sixpence, and so in Proportion for any greater or less Number of Words.

Trustees to appoint Officers,

XI. And be it further enacted, That the said Trustees, or any Seven or more of them, may, and they are hereby empowered, by Writing under their Hands, to appoint a Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, Receiver or Receivers of the Duties, Rates, or Assessments to be raised and levied by virtue of this Act, and also such other Officers and Persons for the Execution of this Act, as they the said Trustees shall think proper, and from Time to Time to remove such Officers and Persons respectively, as they the said Trustees shall see Occasion, and out of the Monies to be received by virtue of this Act, to allow and pay such Salaries, Wages, and Allowances to the said Officers and other Persons, as the said Trustees shall think reasonable; and the said Trustees shall, and they are hereby required, to take sufficient Security from every such

such Treasurer, Clerk, Collector, Receiver, and other Officer, for the due Execution of his Office, as they shall think proper; and all such Officers, so to be appointed, shall, under their Hands, at such Time or Times, and in such Manner, as the said Trustees shall direct, deliver to the said Trustees, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing, of all Matters and Things committed to their Charge by virtue of this Act; and also, of all the Monies which shall have been by such Officers respectively received, by virtue and for the Purposes of this Act, and how much thereof hath been expended and disbursed, and for what Purpose, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively to the said Trustees, or to such Person or Persons as they shall appoint to receive the same; and all the said Officers and Persons respectively, shall, on *Easter Monday* Yearly, or at the First Meeting of the said Trustees then next following (although not thereunto required by the said Trustees) lay their respective Accounts before the said Trustees, in order that the same may be audited, passed, and allowed by them, if approved of; and all the said Officers and Persons respectively so accounting as aforesaid, shall, upon Oath, (which Oath, any of the said Trustees are or is hereby empowered to administer,) verify their said respective Accounts; and if any such Officer or Person shall refuse or neglect to make and render, or to verify upon Oath, any such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, within Twenty-eight Days after being thereunto required by the said Trustees, or any Seven of them, by Notice in Writing, given to or left at the last or usual Place of Abode of such Officer or Officers, or other Person or Persons, all Books, Papers, and Writings, in his or their Custody or Power, relating to the Execution of this Act, or give Satisfaction to the said Trustees respecting the same, then and in every such Case, upon Complaint made by the said Trustees, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County, City, Town Corporate, or Place, wherein such Officer or Officers, or other Person or Persons so refusing or wilfully neglecting shall be or reside, such Justice may, and he is hereby authorized and required, to issue a Summons, under his Hand, for the Officer or Officers, or other Person or Persons, so refusing or neglecting to appear before him, and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if, upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses, upon Oath, (which Oath, such Justice is hereby empowered to administer,) it shall appear to such Justice; that any of the Monies that shall have been collected or raised by virtue of this Act, shall remain due from such Officer or Officers, or other Person or Persons, such Justice may, and he is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, or other Person or Persons; and if no Goods and Chattels of such Officer or Officers, or other Person or Persons, can be found, sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the said

and take Security from them.

Goods and Chattels; or if it shall appear to such Justice, that such Officer or Officers, or other Person or Persons, shall have refused or wilfully neglected, to render and give such Account, or to verify the same as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act, shall be in the Custody or Power of such Officer or Officers, or other Person or Persons, and that he or they shall have refused, or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then, and in each and every such Case, such Justice shall commit every such Offender or Offenders to the Common Gaol or House of Correction, for the County, City, Town Corporate, or Place, where such Offender shall be or reside, there to remain without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Trustees for such Money, and shall have paid such Composition, in such Manner as they shall appoint, (which Composition, the said Trustees are hereby empowered to make and receive,) and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction in respect thereof, to the said Trustees; but no such Officer shall be detained or kept in such Common Gaol or House of Correction, for Want of sufficient Distress, by virtue of this Act, for any longer Space of Time than Twelve Calendar Months.

Trustees may direct the Church to be repaired, &c.

XII. And be it further enacted; That it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered to take from off the Roof of the said Church all or any Part of the Lead and Materials covering the same, and to take and pull down, or cause to be taken or pulled down, the Tower of the said Church, and to sell and dispose of the Timber, Stones, Bricks, Iron, Lead, and other Materials of which such Roof and Tower consist, or any Part or Parts thereof, to any Person or Persons whomsoever, and the Money arising by such Sale or Sales shall be applied to the several Purposes of this Act, or it shall and may be lawful to and for the said Trustees, and they are hereby empowered to employ or apply such Timber, Stones, Bricks, Iron, Lead, and other Materials, or any Part or Parts thereof in repairing the said Church, and in erecting and building the said Tower and Spire to be erected and built by virtue of this Act, in such Manner as they shall think proper.

Materials, &c. vested in the Trustees.

XIII. And be it further enacted, That all the Stones, Bricks, Timber, Iron, Lead, and Materials of which the said Church, Roof, and Tower are constructed or built; and all the Stones, Brick, Timber, Iron, Lead, and other Materials and Things bought or procured by the Order of the said Trustees, for repairing the said Church, or for erecting and building the said Tower and Spire, shall belong to and be the Property of, and the same is and are vested in the said Trustees; and it shall and may be lawful to and for the said Trustees to bring, or cause to be brought, any Action or Actions, or direct the preferring of, any Bill or Bills of Indictment (as the Case may be or require), against any Person or Persons who shall steal, take, or carry away, spoil, injure, or destroy the Stone, Timber, Iron, Lead, and other Materials of or for the Repairs of the said Church, Tower, and Spire hereby vested in them as aforesaid, or any of them, or any Part or Parts thereof; and in all such Actions and Bills

Bills of Indictment it shall be, and be deemed and taken to be sufficient to state generally, that the said Church, Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of "The Trustees for repairing the Church of the Parish of *Great Yarmouth*, in the County of *Norfolk*," without particularly stating or specifying the Name or Names of all or any of the said Trustees.

XIV. And be it further enacted, That such Monuments, Grave Stones, and monumental Inscriptions, as shall be necessarily taken down and removed in repairing the said Church, shall be preserved and kept by, or by the Order of the said Trustees, in such Place or Places as to them shall seem proper; and when and as soon as the said Church shall be repaired, or as soon after as conveniently may be, all such Monuments, Grave Stones, and monumental Inscriptions shall be replaced and fixed as near to the Places from whence they shall have been respectively removed, as conveniently may be.

Power to remove Grave Stones and Monuments.

XV. And be it further enacted, That it shall and may be lawful to and for the said Trustees, at their First or any other Meeting, to order and direct such Works to be undertaken as they shall judge necessary and expedient for repairing the said Church, for taking down the said Tower and rebuilding the same, and erecting the said Spire, or any Part or Parts thereof, and replacing the Bells, Clock, and other Things appertaining to the said Church; and it shall and may be lawful to and for the said Trustees to contract or agree with any Architect, or Architects, or with any other Person or Persons, for the due Performance of the said Works, or any Part or Parts thereof, and for the providing and finding of Timber, Stone, Iron, Lead, Copper, Slate, and other Materials to be used in carrying on the said Works, or any Part or Parts thereof; and likewise for any other Article, Matter, or Thing to be used in completing the said Church, and to be provided by virtue of this Act; and all such Contracts and Agreements, when made and entered into by or between the said Trustees and any other Person or Persons, shall be reduced into Writing at the Expence of the Parties with whom such Contracts or Agreements shall be made, and shall be signed by the Parties thereto, and shall be good, valid, and binding, as well upon the said Trustees as all other Parties thereto, his, her, and their Executors, Administrators, and Assigns; and the said Trustees shall and may pay, or order Payment to be made of the Monies due upon any such Contract or Contracts, Agreements or Agreements, to the Person or Persons entitled to receive the same: Provided always, That before any such Contract or Contracts, Agreement or Agreements shall be entered into, Twenty-one Days' Notice at least shall be given in some Public Newspaper printed and circulated in the said County of *Norfolk*; expressing the Purpose of every such Contract or Contracts, Agreement or Agreements, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Trustees, at a certain Time and Place in such Notice to be mentioned; and Copies of all Contracts and Agreements made in pursuance of this Act shall be entered in a Book, or Books, to be kept for that Purpose; and such

Power to make Contracts.

such Book or Books shall, from Time to Time, and at all convenient Times, be open to the Inspection of all and every Person or Persons who shall pay to the Poor Rates in the said Parish, on Payment of Two Shillings and Sixpence to the Clerk or Person in whose Custody the same shall be.

Power to do  
future Re-  
pairs of  
Church.

XVI. And be it further enacted, That from and after the Completion of all such Works as shall be necessary for repairing the said Church, and taking down the said Tower, and rebuilding the same, and erecting the said Spire, it shall and may be lawful, to and for the said Trustees, from Time to Time during the Continuance of this Act, to order and direct all such Works to be undertaken and performed as they shall judge necessary and proper for the maintaining and keeping in repair the said Church, and the Tower and Spire thereof, (except as hereinafter is mentioned,) and in all such Cases as they shall think necessary, to contract and agree with any Person or Persons for the Performance of such Works; as may be necessary for keeping the said Church, Tower, and Spire in repair, and for the furnishing Materials for that Purpose; and all Contracts or Agreements, when made and entered into by or between the said Trustees and any other Person or Persons, shall be reduced into Writing at the Expence of the Parties with whom such Contracts or Agreements shall be made, and shall be signed by the Parties thereto, and shall be good, valid, and binding, as well upon the said Trustees as all other Parties thereto, his, her, and their Executors, Administrators, and Assigns, and the said Trustees, shall and may order the Payment of all Monies to become due for maintaining and keeping in repair the said Church, Tower, and Spire, to be made by the Churchwardens of the said Parish of *Great Yarmouth* for the Time being, out of the Monies in their Hands, arising from the Assessments or Rates hereinafter directed to be made upon all Lands, Houses, Tenements, and Hereditaments within the said Parish of *Great Yarmouth*.

Duty on  
Coals, Culm,  
and Cinders.

XVII. And towards defraying the Expences of obtaining this Act, and of carrying the same into Execution, Be it enacted, That, from and after the passing of this Act there shall be paid by the Master, or other Person or Persons, having the Rule and Command of any Ship or Vessel, or any other Person or Persons, unlading and delivering ashore, or which shall unlade and deliver ashore, within the said Town of *Great Yarmouth*, Coals, Culm, or Cinders, the several Duties hereinafter particularly mentioned, (that is to say,) For every Chalder of Sea Coals, Culm, or Cinders, containing Thirty-six Bushels *Winchester* Measure, the Sum of One Shilling and for every Chalder of *Welsh* Coals, containing Fourteen Barrels, (according to the ancient customary Measure of the said Town of *Great Yarmouth*,) the like Sum of One Shilling, and so proportionably for a greater or lesser Quantity than a Chalder of Sea or *Welsh* Coals, Culm, and Cinders, respectively.

Mode of Re-  
covery of  
Duties.

XVIII. And to the Intent to secure the Payment of the said Duties, and for the better levying and collecting thereof, and for discovering the just Quantities of Coals, Culm, and Cinders, that shall be landed within the said Town of *Great Yarmouth*, be it further enacted, That the Coalmeters for the Town of *Great Yarmouth* aforesaid, appointed or to be appointed, and every of them, and their respective Deputy or Deputies, in their Turn  
and



and Course of Attendance respectively, so soon as any Ship or Vessel, freighted with Coals, Culm, or Cinders aforesaid, shall be unladen, within the Haven of the Town of *Great Yarmouth* aforesaid, shall forthwith deliver upon Oath, a true Certificate in Writing, unto such Person or Persons as shall be authorized to receive the said Duties (which Oath such Person or Persons is and are hereby empowered to administer) of the Sorts, Quantities, and Number of Chalders of Coals, Culm, and Cinders respectively, which shall be measured and delivered ashore, within the Town of *Great Yarmouth* aforesaid, from on board any Ship or Vessel, on Pain, for his or their Default therein, to forfeit the Sum of Five Pounds of lawful Money of *Great Britain*, one Moiety thereof to the Use of the Informer, and the other Moiety to the Use of the said Trustees, to be applied for the Purposes of this Act; and in case the said Duties shall not be forthwith paid by the Master, or other Person or Persons, having the Rule and Command of any Ship or Vessel, which shall unlade or deliver ashore, in the said Town of *Great Yarmouth*, any Coals, Culm, or Cinders as aforesaid, according to the true Intent and Meaning of this Act, that then and so often it shall and may be lawful to and for the said Collector or Collectors, Receiver or Receivers, to be appointed in that Behalf, and every or any of them, by Warrant, obtained from any Justice of the Peace of the said Borough, under his Hand and Seal, to take and distrain every such Ship or Vessel, and all the Tackle, Apparel, and Furniture thereunto belonging, or any Part thereof, and the same to detain and keep, until he or they be satisfied and paid the said Duties and every of them, and in case of Neglect or Delay, of or in Payment of the said Duties or any of them, for Ten Days after any Distress or Distresses, so taken as aforesaid, that then it shall and may be lawful to and for the said Collector or Collectors, Receiver or Receivers, and every or any of them, to sell the said Distress or Distresses so taken, and therewith to satisfy himself or themselves, as well for and concerning the said Duties, so neglected or delayed to be paid, and for which a Distress shall be so taken as aforesaid, as also for his or their reasonable Charges in the taking and keeping such Distress, rendering to the Person or Persons offending, the Overplus, if any there shall be.

XIX. And be it further enacted, That if any Person or Persons shall, from and after the passing of this Act, land within the said Town of *Great Yarmouth*, out of any Keels, Wherries, or any other Boats, or shall bring into the said Town, by Horses, Carts, or other Carriages, any Coals, Culm, or Cinders, that shall not have paid the Duties aforesaid, without a Certificate in Writing be first given to such Person or Persons, by the Collector or Collectors, Receiver or Receivers of the said Duties, for Leave to land or bring such Coals, Culm, or Cinders into the said Town, that then and in such Case every Person and Persons so offending shall forfeit and pay, over and above the Duties hereby granted, the Sum of Twenty Shillings of lawful Money of *Great Britain*, for every Chalders of Coals, Culm, or Cinders, so landed or brought in as aforesaid, and so proportionably, for a greater or lesser Quantity than a Chalders: one Moiety thereof to the Use of the Informer, and the other Moiety to the said Trustees, to be applied for the Purposes of this Act.

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XX. And

No Coals, &c. to be landed without a Certificate.

Drawback  
on Coals and  
Culm.

XX. And to the Intent that all Persons who shall, from and after the passing of this Act, put on Shore, or land within the said Town of *Great Yarmouth*, any Coals, Culm, or Cinders, or shall buy any Coals, Culm, or Cinders that shall be landed within the said Town of *Great Yarmouth*, or that shall make Cinders within the said Town of *Great Yarmouth*, of any Coals that shall be landed within the said Town, may be encouraged to sell or retail the same into the Counties of *Norfolk* and *Suffolk*, and the City of *Norwich*: be it further enacted, That such Person and Persons, who shall be appointed Collector or Collectors, Receiver or Receivers of the said Duties as aforesaid, upon Oath, made before him or them in Writing, (which Oath he or they are hereby empowered and required to administer,) that the said Coals, Culm, or Cinders, put on board any Keel, Wherry, or other Boat, or loaded upon any Cart or Carriage, in order to being sent into the said Counties or City as aforesaid, have paid the Duties charged by this Act, shall, without Fee or Reward, pay unto the said Person or Persons being justly entitled unto and demanding the same, within Six Days after such putting aboard or loading, and making Oath as aforesaid, the Sum of One Shilling for every Chalder of Coals, Culm, or Cinders, put aboard or loaded to be sent in the said Counties and City as aforesaid.

Drawback on  
Cinders.

XXI. Provided nevertheless, That such Collector or Collectors, Receiver or Receivers of the Duties aforesaid, shall pay unto such Person or Persons, who shall sell or retail as aforesaid, Cinders made in *Great Yarmouth* aforesaid, of Coals that have paid the said Duties, the Sum of Eight-pence *per* Chalder only, for every Chalder of such Cinders, made as aforesaid, any Thing herein contained to the contrary thereof in any wise notwithstanding.

Coals not to  
be brought  
into the  
Town after  
Allowance of  
Drawback.

XXII. And be it further enacted, That if any Person or Persons shall, after Allowance or Drawback made or paid by virtue of this Act for the Coals, Culm, or Cinders put on board or loaded as aforesaid, bring back, re-land, unload, or deliver the said Coals, Culm, or Cinders, or any of them, in or to the said Town of *Great Yarmouth*, then and in such Case, every Person or Persons so offending, shall repay to the said Collector or Collectors, Receiver or Receivers, the Duties of all such Coals, Culm, or Cinders as shall be brought back, re-landed; unloaded, or delivered as aforesaid; and also forfeit and pay the Sum of Twenty Shillings for every Chalder of Coals, Culm, or Cinders that shall be brought back, re-landed; unloaded, or delivered in the said Town as aforesaid, and so proportionably for a greater or lesser Quantity than a Chalder; one Moiety thereof to be to the Use of the Informer, and the other Moiety thereof to be paid to the said Trustees, to be applied for the Purposes of this Act.

Coals, &c.  
to be mea-  
sured by a  
Coal meter.

XXIII. And be it further enacted, That no Coals, Culm, or Cinders imported or landed at *Great Yarmouth* aforesaid, which shall at any Time hereafter be retailed or sold, shall be measured by any Person or Persons other than one of the sworn Meters of the said Town, or in or with any Measure other than the usual lawful sealed Measures belonging to the said Town.

XXIV. And

XXIV. And be it further enacted, That all Coals, Culm, and Cinders which shall from and after the passing of this Act be landed, and all Cinders which shall be made in a certain Place, called *Cobham Island*, near *Great Yarmouth* aforesaid, shall not be subject or liable to pay the Duties charged by this Act, unless such Coals, Culm, or Cinders be afterwards brought, carried, and laid on Land in *Great Yarmouth* aforesaid; and that then and in such Case the same shall be subject and liable to pay the said Duties, and be under the Pains, Penalties, and Forfeitures hereinbefore contained.

Duty not to  
attach to  
Cobham  
Island.

XXV. Provided nevertheless, That the Exemption aforesaid shall not in anywise, exempt or be construed to exempt, the Inhabitants, Occupiers, or Owners of the said Island; or any of them, from paying all Parish Duties to the said Parish of *Great Yarmouth*, or from the Rate upon Lands, Houses, Tenements, and Hereditaments to be levied in pursuance of this Act; but that the said Inhabitants or Occupiers, some or one of them, shall hereafter pay all Parish Rates and Duties to the said Parish of *Great Yarmouth*, and the said Rates to be assessed by virtue of this Act, for or in respect of all Lands, Salt Works, and Stock belonging to the said Island, in the same Manner and Proportions as the Inhabitants of *Great Yarmouth* aforesaid shall, from Time to Time, be charged with and pay.

Not to ex-  
empt from  
Payment of  
Rates.

XXVI. And be it further enacted, That it shall and may be lawful to and for the said Trustees to make such Allowance or Drawback for all Coals that shall have paid the Rates and Duties imposed by this Act, and which shall be expended and made Use of in making Salt within the said Town of *Great Yarmouth*, as the said Trustees shall, from Time to Time, think reasonable, and direct or appoint.

Drawback on  
Coals used  
for making  
Salt.

XXVII. And, for raising a further Sum of Money, towards the defraying the Expences incident to the Office of Churchwarden of the said Parish, and for carrying this Act into Execution, Be it further enacted, that the said Trustees shall, and they are hereby authorized and required, once or oftener in every Year, as they shall see Occasion, by any Writing under their Hands, or the Hands of 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,) 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 Rates or Assessments shall be made, shall commence at, and be computed from the Twenty-ninth Day of *September* One thousand eight hundred and five; 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

Rate on  
Lands, &c.

from the Tenants or Occupiers of such Lands, Houses, Tenements, and Hereditaments, to be assessed or rated as aforesaid.

Apportionment of Rates between quitting and incoming Occupiers.

XXVIII. Provided always, and be it enacted, That in all Cases, where any Person or Persons shall remove from or quit any Property, for or in respect of which such Persons shall be rated or assessed, or be liable to be rated or assessed, by virtue of this Act, such Person or Persons shall be liable to pay such Rate or Assessment, in proportion to the Time that he, she, or they occupied the same respectively, in like Manner as if he, she, or they had not removed from, or quitted such Property; and in all Cases where any Person or Persons shall come into or occupy any Property, for or in respect whereof he, she, or they shall be rated or assessed, or be liable to be rated or assessed as aforesaid, out of, or from which any Person or Persons shall be removed, or which at the Time of making any such Rate or Assessment, was empty or unoccupied, the Person or Persons coming into or occupying the same Property, although his, her, or their Name or Names may not be inserted in the Rate, shall be liable to pay such Rate or Assessment, in proportion to the Time that such Person or Persons shall occupy the same, in like Manner as if he, she, or they had been originally rated or assessed by Name for such Property; such Proportion to be settled and ascertained in case of Dispute by the said Trustees.

Rates on Houses, &c. let into Tenements.

XXIX. And be it further enacted, That where any Messuage, House, or Building, within the said Parish, shall be let into separate Tenements, or in separate Rooms or Apartments, it shall and may be lawful for the said Trustees, in every such Case, to rate or assess the Landlord or Owner, with the whole Rate or Assessment under this Act; and the Landlord or Owner, shall in each and every such Case, be charged with and liable to pay the Whole of the Rate or Assessment accordingly, but that it shall and may be lawful, to and for every such Landlord or Owner, to recover of his or her respective Tenants, the Whole of such Rate or Assessment, and by the same Means as he or she shall or may be enabled to recover his or her Rent or respective Rents.

Rates on Houses let into ready-furnished Lodgings.

XXX. And be it further enacted, That where any Messuage, House, or Tenement within the said Parish, shall be let into ready-furnished Lodgings, the Landlord or Owner of every such Messuage, House, or Tenement, shall be deemed and taken to be the Occupier thereof, and shall be charged with, and liable to pay the Whole of the Rate or Rates, to be from Time to Time assessed for, or in respect of every such Messuage, House, or Tenement.

Provision in Cases where there are more Occupiers than one.

XXXI. And be it further enacted, That where any Messuage, or other Property, for or in respect of which, any Rate or Assessment ought to be made by virtue of this Act, shall be let or demised to more than one Tenant or Occupier, any One or more such Tenants or Occupiers, shall and may be deemed the sole Tenant or Occupier thereof, for the Purposes of this Act, so far as relates to the Payment or Recovery of all or any Rates, Assessments, Costs, Charges, and Expences, chargeable on such Tenants or Occupiers respectively, by virtue of this Act; and all such Rates, Assessments, Costs, Charges, and Expences, may be levied and recovered by Distress and Sale of the Goods and Chattels, of any One or more of such  
Tenants

Tenants or Occupiers, in the same Manner as if such Tenant or Occupier were in Fact sole Tenant or Occupier.

XXXII. Provided always, and be it further enacted, That no Person or Persons shall be liable to pay any Rate or Assessment, to be made under the Authority of this Act, for or in respect of any Lands, Houses, Tenements, or Hereditaments, which shall be unoccupied during the whole of the Quarter of a Year, in or for which the quarterly Portion of the Rate or Assessment demanded shall have become or accrued due.

Houses, &c.  
unoccupied  
not rateable.

XXXIII. And be it further enacted, That in case any Person or Persons who shall be rated or assessed, or subject or liable to the Payment of any Rate or Assessment to be made or laid, or made payable by virtue of this Act, shall refuse or neglect to pay such Rate or Assessment to any Collector or Receiver, to be appointed as aforesaid, by the Space of Five Days after personal Demand made by the Collector or Collectors, Receiver or Receivers thereof, or Demand in Writing under the Hand of such Collector or Receiver, and left at the last or usual Place of Abode of the Person or Persons so refusing or neglecting to pay as aforesaid, then and in every such Case it shall and may be lawful to and for any Justice of the Peace for the said Borough, by Warrant under his Hand and Seal, to authorize and direct the said Collector, or any other Person, to levy such Rate or Assessment, and all Arrears thereof, by Distress and Sale of the Goods and Chattels of such Person or Persons so refusing or neglecting to pay as aforesaid, rendering the Overplus, if any, to the Owner or Owners of the Goods or Chattels to be so distrained, on Demand, after deducting the Costs and Charges attending such Distress and Sale.

Mode of  
Recovery of  
Rates.

XXXIV. And be it further enacted, That no Person shall gain any legal Settlement in the said Parish by reason only of his or their being rated and assessed to, or paying any Rate or Assessment to be made as aforesaid, or by reason of his or their being appointed to, or accepting, holding, or executing any Office or Place of Employment whatsoever under or by virtue of this Act.

Payment of  
the Rates,  
&c. not to  
gain a Set-  
tlement.

XXXV. Provided always and be it further enacted, That the Duties and Rates granted by 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 this present Act, and every Clause, Matter and Thing herein contained shall cease, end, and determine.

Continuance  
of Duties  
and Rates.

XXXVI. Provided also, That it shall not be lawful, until after the Determination of the said Duties and Rates, and of this Act, for the Churchwardens of the said Parish for the Time being to charge, assess, collect, or levy any Church Rate whatsoever; but in lieu thereof the said Trustees shall yearly, during the Continuance of such Duties and Rates, pay or cause to be paid into the Hands of the said Churchwardens for the Time being, when and as the same shall be levied, raised, and collected, all and every such Sum and Sums of Money as shall arise, or be raised,  
[Loc. & Per.] 14 F levied,

No Church  
Rate to be  
raised.

“ *be, to the said A. B. his Executors, Administrators, or Assigns, during*  
 “ *the natural Life of C. D.] upon the* Day of  
 “ in every Year, during the natural Life of him the said  
 “ at the the first Payment  
 “ thereof to be made upon the Day of  
 “ next ensuing the Date hereof. In witness whereof, we the said Truf-  
 “ tees, have hereunto set our Hands and Seals, the  
 “ Day of in the Year  
 “ ”

And every such Grant shall be good, valid, and effectual in the Law, without any Inrolment or Registry of the Memorial thereof, any Law or Statute to the contrary thereof in any wise notwithstanding; and every Annuity so to be granted as aforesaid, shall be, and is hereby charged upon, and shall be payable and paid by the Treasurer to the said Trustees, out of the said Duties and Rates, to be raised, levied, and collected by virtue of this Act, according to the Grant of such Annuity.

Power of  
transferring  
Assignments  
and An-  
nuities in a  
prescribed  
Form.

XL. And be it further enacted, That it shall and may be lawful to and for the Persons entitled to any of the Securities for the Money to be borrowed upon legal Interest as aforesaid, or to be raised by the granting of Annuities as aforesaid, and their respective Executors, Administrators, or Assigns, as the Case may be, at any Time, by Writing under their Hands and Seals, to transfer such Securities, to any Person or Persons whomsoever, by Indorsement on the Back of such Security, in the Presence of one credible Witness, and every such Transfer may be in the Words, or to the Effect following:

“ I do hereby transfer the within-written Security; and all Principal  
 “ or Interest now due thereupon, unto  
 “ Executors, Administrators, and Assigns. Witness my Hand and Seal,  
 “ this Day of  
 “ Witness

And a Copy of every Security or Assignment, together with the Number or Numbers thereof, and of every Grant of Annuity, which shall be made in pursuance of this Act, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book, to be kept for that Purpose, by the Clerk to the said Trustees, which Extract or Memorial, shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred, to which Book any Person interested, shall at all reasonable Times have Access, and shall have free Liberty to inspect the same, without Fee or Reward; and for the entering of every such Transfer, the said Clerk shall be paid, by the Person to whom such Transfer shall be made, the Sum of Five Shillings and no more; and every such Transfer, after Entry thereof as aforesaid, shall entitle the Person to whom the Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred.

Provision for  
the Payment  
of Creditors.

XLI. And be it further enacted, That the said Trustees shall yearly and every Year after the Expiration of the First Year, from the Day of the Com-

Commencement of this Act, pay off and discharge the Sum of One Hundred Pounds at the least, of the Monies borrowed on the Credit of this Act, 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, 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 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 where there is only one Creditor, to give Three Calendar Months Notice to such Creditor, of the Intention of the said Trustees, to pay him or her as aforesaid; 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 to be so 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 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 Repurchase of such his, her, or their Annuity or Annuities.

XLII. Provided always, and be it enacted, That in case the said Trustees can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Assignments or Securities which shall be then in force shall bear, it shall and may be lawful to and for the said Trustees, from Time to Time, to charge the said Duties and Rates in Manner aforesaid, with such Sum or Sums of Money as they shall think proper, and the Interest thereof at such low Rate as aforesaid, and to pay off and discharge the Assignments or Securities bearing a higher Rate of Interest, according to the Directions and Regulations herein prescribed for paying off Assignments or Securities.

Power to borrow Money at a lower Interest to discharge Securities at a higher Rate.

XLIII. And be it further enacted, That all the Money, which may be borrowed, advanced, or lent as aforesaid, on the Credit of the said Duties and Rates, shall be paid to the Treasurer or Treasurers to the said Trustees, or to such Person or Persons as he or they shall appoint; and the same shall be applied and disposed of in paying and defraying the Costs, Charges, and

Application of Money borrowed.

[Loc. & Per.]

14 G

Expences

Expences of obtaining this Act, and of repairing the said Church, and in taking down and rebuilding the said Tower, and erecting the said Spire, and in otherwise carrying this Act into the Execution.

ACTIONS to  
brought in  
the Name  
of the Trea-  
surer, Clerk,  
or one Trus-  
tee; but  
neither liable  
to Costs.

XLIV. And be it further enacted, That whenever any Action shall be brought by the Orders of the said Trustees, against any Person or Persons by virtue, or in pursuance of this Act, the same may be brought in the Name or Names of their Treasurer or Clerk, or in the Name of any One of the said Trustees on behalf of the said Trustees; and no such Action shall abate or be discontinued by the Death or Removal of the Person in whose Name the same shall be brought; but no such Treasurer, Clerk, or Trustee, or any or either of them, shall be subject to the Payment of any Costs or Expences on account thereof, but all such Costs and Expences shall be defrayed out of the Money arising by virtue of this Act.

Recovery of  
Penalties.

XLV. And be it further enacted, That all Penalties or Forfeitures, by virtue of this Act, or by virtue of the Powers thereof imposed, (the Manner of levying and recovering whereof is not hereby otherwise particularly directed,) shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Justice of the Peace for the County, City, or Place where the Offence shall be committed, (which Warrant such Justice is hereby empowered to grant upon the Confession of the Party, or upon the Evidence of any credible Witness upon Oath,) and the Overplus, (if any,) of the Money arising by such Distress and Sale, shall be returned upon Demand, to the Owner of such Goods and Chattels, after deducting the Costs and Charges of making, keeping, and selling the Distress, and such Penalties and Forfeiture, when recovered, (if not hereinbefore directed to be otherwise applied,) shall be paid to the Treasurer to the said Trustees, to be applied towards the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the Offender or Offenders to be committed to the Common Gaol, or House of Correction, of the County or Place where the Offence shall have been committed, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, nor less than Fourteen Days, unless such Penalties and Forfeitures, and all reasonable Charges attending the Recovery thereof, shall be sooner fully paid and satisfied.

XLVI. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against this Act, or against any Order of Sessions, or any Matter or Thing done in the Execution of this Act, the Form of Conviction shall be in the Words, or to the Effect following, that is to say:

Form of  
Conviction.

“ **B**E it remembered, That on this \_\_\_\_\_ Day of  
 “ \_\_\_\_\_ in the \_\_\_\_\_ Year of the Reign of  
 “ \_\_\_\_\_ *A. B.* is convicted before  
 “ \_\_\_\_\_ of His Majesty’s Justices of the Peace for the  
 “ \_\_\_\_\_ of having [as the Offence shall be;] and  
 “ I



“ I [or, we] the said do adjudge him, [her  
 “ or them] to forfeit and pay for the same, the Sum of  
 “ Given under my Hand and Seal, [or, our Hands and Seals] the Day  
 “ and Year aforeaid.”

XLVII. Provided always, and be it enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved, by any Thing done in pursuance of this Act, such Person or Persons may appeal to the Justices of the Peace, at the First General or Quarter Sessions of the Peace, to be holden for the County of *Norfolk*, or for the Borough of *Great Yarmouth* aforeaid, (at the Option of the Party appealing,) next after the Expiration of One Calendar Month from the Time such Matter of Appeal shall have arisen, the Person or Persons appealing, having first given Ten Days' Notice, at least, of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Treasurer or Clerk to the said Trustees, and within Six Days after such Notice, entering into a Recognizance before some Justice of the Peace for such County or Borough, as the Case may be, with sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices, at such Sessions, upon due Proof of such Notice and Recognizance having been given and entered into, are hereby authorized and required, to hear and determine the Matter of such Appeal, in a summary Way, and to make such Determination therein, and to award such Costs to either of the Parties, or otherwise, as they the said Justices shall judge proper; and the said Justices may also order such further Satisfaction to be made to the Party injured, as they shall judge reasonable; and all such Determinations of the said Justices, shall be final, binding, and conclusive to all Parties, to all Intents and Purposes whatsoever. Appeal.

XLVIII. And be it further enacted, That where any Distress shall be made, for any Sum 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 the Information, Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining, be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity that shall be afterwards done by the Party or Parties so distraining; but the Person or Persons aggrieved by such Irregularity, shall and may recover full Satisfaction for the Special Damage, in an Action upon the Case. Distress not unlawful for want of Form.

XLIX. And be it further enacted, That no Order, Verdict, Judgment, or other Proceedings made, touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removeable by *Certiorari*, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary thereof, in anywise notwithstanding. Proceedings not to be quashed for want of Form, or removable by Certiorari.

L. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person for any Thing done in pursuance of this Act, unless Notice in Writing shall have been Plaintiff not to recover without Notice.

tice, or after  
Tender of  
Amends.

been given to the Defendant or Defendants Fourteen Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action, nor shall the Plaintiff recover in any such Action, if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants, in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court, such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be made, and given in and by such Court, as in other Actions, where the Defendant is allowed to pay Money into Court.

Limitation  
of Actions.

LI. Provided always, and be it enacted, That no Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, after the Expiration of Twelve Calendar Months next after the Fact committed, and every such Action or Suit shall be brought in His Majesty's Court of Record for the Borough of *Great Yarmouth* aforesaid, or in any of His Majesty's Courts of Record at *Westminster*, so as the Venue be laid in the County of *Norfolk* and not elsewhere, and if any such Action or Suit shall be brought before Fourteen Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other Place or County than as aforesaid, then, and in every such Case, the Jury shall find for the Defendant or Defendants, and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, then, and in every such Case, the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant hath for Costs of Suit in other Cases by Law.

Reservation  
to the Coun-  
ties of Nor-  
folk and Suf-  
folk, and  
City of Nor-  
wich.

LII. Saving always and reserving to the Inhabitants of the said Counties of *Norfolk* and *Suffolk*, and the City of *Norwich* and County of the same City, and to the Freemen and Inhabitants of the said City and County of the same, all Franchises, Rights, Benefits, Advantages, Privileges, Exemptions, and Immunities to them or any of them belonging, as fully and effectually as if this Act had not been made, unless in respect to such Coals, Culm, or Cinders, as shall be landed in or within the said Town of *Great Yarmouth*, and consumed or spent there.

Public Act.

LIII. 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.