ANNO QUINQUAGESIMO NONO

# GEORGII III. REGIS.

## *Cap.* xxxvii.

An Act for defraying the Expences incurred in taking down, rebuilding, and enlarging the Chapel of *Saint Hilds*, in the Pariſh of *Jarrow*, in the County Palatine of *Durham*.

[19th *May* 1819.]

WHEREAS previouſly to the Month of *April* in the Year One thouſand eight hundred and ten, the Structure and Fabric of the Chapel in the Chapelry of *Saint Hilds*, in the Pariſh of *Jarrow*, in the County Palatine of *Durham*, became in ſo ruinous and dangerous a State that it was deemed unſafe to attend Divine Service therein: And whereas the ſaid Chapelry of *Saint Hilds* is a very populous Diſtrict, compriſing the Town and Townſhip of *South Shields*, the Village and Townſhip of *Weſtoe*, and the Village and Townſhip of *Harton*; and the ſaid Chapel was inſufficient in Size for the Accommodation of the Pariſhioners and Inhabitants of the ſaid Chapelry: And whereas at a Meeting of the Pariſhioners and Inhabitants of the Chapelry of *Saint Hilds* aforeſaid, aſſembled at the Town Hall in *South Shields* in the ſaid Chapelry, on the Third Day of *May* One thouſand eight hundred and ten, convened by Public Notice, it was unanimouſly reſolved that the ſaid Chapel ſhould be enlarged and repaired and new roofed, and the North Wall extended to the Eaſt, on a Line with the South Boundary Wall; and alſo that the Altar or Communion ſhould be extended in a circular Form

to the Extent of the Eaſt Boundary Wall, and thereby conſiderably enlarged: And whereas at an adjourned Meeting of the Pariſhioners and Inhabitants of the ſaid Chapelry, held at the Town Hall aforeſaid, on the Tenth Day of the ſame Month of *May*, purſuant to public Notice, it was unanimouſly reſolved, (amongſt other Things) that Meſſieurs *Hall*, *Philips*, and *Greſham*, ſhould be appointed to complete the Repairs of the Chapel of *Saint Hilds*, agreeable to the Plans and Eſtimate then agreed upon, and that Mr. *Robert Burnett* of *Newcaſtle-upon-Tyne*, Millwright, ſhould be appointed Surveyor or Inſpector of the Work; and that the Chapelwardens for the Time being ſhould be allowed to borrow Money for defraying the Expences of ſuch Repairs, and that the ſame ſhould be repaid with Intereſt by a Rate to be made for that Purpoſe, in not leſs than Three Years, nor more than Seven Years: And whereas in purſuance of Public Notice, another General Meeting of the Pariſhioners and Inhabitants of the ſaid Chapelry was held at the Town Hall aforeſaid, on the Tenth Day of *September* One thouſand eight hundred and ten, for the Purpoſe of taking into conſideration the Neceſſity of pulling down the North Wall on account of its Inſufficiency, and rebuilding the ſame with hewn Stone, and raiſing the North Gallery, and projecting the Organ Gallery; alſo of building a Portico on the South and North Sides of the ſaid Chapel, and of altering and extending the Pews in the North Gallery and North Aiſle, and alſo of building a new Veſtry, and of making other ſmaller Improvements, all which ſaid laſt-mentioned Alterations and Improvements were at ſuch Meeting unanimouſly reſolved to be neceſſary or expedient; and it was further reſolved, that the ſame ſhould be made under the Directions of the Chapelwardens, either by Eſtimate, or by Value and Admeaſurement, and that ſuch Reſolutions ſhould be ſigned by the Chairman, and be conſidered equally binding as if the ſame had been ſigned by each Individual that attended ſuch Meeting: And whereas, for better enabling the ſaid Chapelwardens to carry the ſeveral Reſolutions before mentioned and referred to fully into effect, a Writ or Summons, in the Nature of a Citation, was applied for by the Chapelwardens of the ſaid Chapelry, to the Conſiſtory Court of the Lord Biſhop of *Durham*, and which was granted in due Courſe of Law, bearing Date the Eighteenth Day of *September* One thouſand eight hundred and ten, and returnable in the ſaid Court on the Fifth Day of *October* then next; and the ſame was read during Divine Service, by the Curate in the ſaid Chapel of *Saint Hilds*, and thereby all the Inhabitants reſiding within the ſaid Chapelry, and all others having any Intereſt in the Premiſes, were cited to appear and ſhew cauſe why a Licence or Faculty ſhould not be granted to the Curate and Chapelwardens of the ſaid Chapelry and to others therein named, for empowering and authorizing them, or the major Part of them, to do and perform the aforeſaid Repairs, Alterations, Enlargements, and Improvements, with Power, if neceſſary, for them to take down or remove any of the Pews or Stalls in the ſaid Chapel, they being thereby empowered to make Reſtitution to the legal Owners thereof in the manner therein ſet forth, and to erect new Pews, Seats, and Stalls in the ſaid Chapel, when and where they ſhould deem it proper and expedient, and to diſpoſe of the ſame as therein mentioned, with other general Powers to be granted therein: And whereas by a Decree or Order of the ſaid Conſiſtory Court, bearing Date the Nineteenth Day of *October* One

thouſand eight hundred and ten, it was decreed that a Licence or Faculty ſhould be granted to the Miniſter and Chapelwardens and others therein named, in the Manner and for all the Purpoſes ſet forth in the ſaid Citation: And whereas in purſuance of ſuch Reſolutions and Faculty the ſaid Chapel of *Saint Hilds* has been taken down (except a Part of the South and Weſt Walls, and the Steeple), and the ſaid Chapel has been rebuilt, enlarged, new roofed and pewed, and caſt Metal Pillars have been placed therein for the Support of the Gallery, and the Chapel, Burial Ground, Drains, Fences, Railing, Walls and Footpaths have been completed and perfected, and the ſame Chapel is in every Part made fit and convenient for the Performance of Divine Service therein: And whereas, on the Application of the then Chapelwardens, Meſſieurs *Reed*, *Batſons*, *Reed*, and Company, of *Newcaſtle-upon-Tyne*, Bankers, and *Chriſtopher Bainbridge*, one of the Chapelwardens, ſeverally advanced large Sums of Money for the Purpoſe of carrying into Execution the ſaid Reſolutions, which Monies were applied towards paying and diſcharging all the Debts and Demands incurred in completing the ſaid Works: And whereas certain Church Rates have ſince been made, and divers Sums of Money have been received therefrom, and alſo from the Sale of Pews which were erected in the ſaid Chapel as aforeſaid, all which Sums have been applied towards diſcharging the Expences incurred in completing the ſaid Works: And whereas by the Ways and Means aforeſaid all the Expences incurred in completing the ſaid Works have been paid: And whereas the Accounts of the Chapelwardens have been examined, ſettled, and allowed by a Committee choſen at a Public Meeting held at the Town Hall on *Thurſday* the Fourth Day of *February* One thouſand eight hundred and nineteen, for the Purpoſe of regulating the Powers and Proviſions of this Act; by which Accounts it appears that there was due on the Thirty-firſt Day of *December* now laſt paſt, to the ſaid Meſſieurs *Reed*, *Batſons*, *Reed*, and Company, upon the Balance of their Account, for Monies advanced by them as aforeſaid, the Sum of One thouſand ſeven hundred and forty-eight Pounds Eight Shillings and Four-pence; and that there was due on the Thirty-firſt Day of *December* now laſt paſt, to the ſaid *Chriſtopher Bainbridge*, upon the Balance of his Account, for Monies advanced by him as aforeſaid, the Sum of Three thouſand five hundred and fifty-one Pounds Eleven Shillings and Eight-pence: And whereas the ſaid ſeveral Sums of One thouſand ſeven hundred and forty-eight Pounds Eight Shillings and Four-pence, and Three thouſand five hundred and fifty-one Pounds Eleven Shillings and Eight-pence, making together the Sum of Five thouſand three hundred Pounds reſpectively, remain due: And whereas it is expedient that Proviſion ſhould be made for the raiſing Money for the Payment of the ſaid Sum of Five thouſand three hundred Pounds, with Intereſt, and for other the Purpoſes herein-after mentioned; which cannot be done 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 Chapelwardens of the ſaid Chapelry of *Saint Hilds* for the Time being ſhall be Truſtees for putting this Act in Execution. Truſtees.

II. Provided

All Acts may be done by a Majority of the Truſtees.

II. Provided always, and be it further enacted, That all the Powers and Authorities by this Act granted to or veſted in, and all Acts, Matters, and Things hereby directed or authorized to be done or executed by the ſaid Truſtees, ſhall or may be exerciſed and executed, done and performed, by a Majority of the Truſtees for the Time being, and all the Acts and Proceedings of ſuch Majority ſhall have the ſame Force and Effect as if done or executed by all the Truſtees.

Truſtees may ſue and be ſued.

III. And be it further enacted, That the ſaid Truſtees ſhall or may ſue and be ſued in any Action or Actions, Suit or Suits, to be commenced or proſecuted in reſpect of any Matter or Thing to which this Act in anywiſe relates, in the Name of the Chapelwardens of the ſaid Chapelry for the Time being; and that no ſuch Action or Suit ſhall abate or be diſcontinued by reaſon of the total or partial Change of the ſaid Truſtees, or by reaſon of the Death, Reſignation, or Removal of any of the ſaid Truſtees; but the Proceedings in every ſuch Action or Suit ſhall be carried on in the Name of the Chapelwardens by or againſt whom ſuch Action or Suit ſhall have been commenced.

Power to borrow Money at Intereſt.

IV. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees to borrow any Sum or Sums of Money, not exceeding the ſaid Sum of Five thouſand three hundred Pounds, for the Purpoſes of this Act, upon the Credit of the Rates to be made by virtue of this Act, and to grant and aſſign the ſaid Rates, or any Part or Parts thereof, unto any Perſon or Perſons who ſhall advance any ſuch Sum or Sums of Money as aforeſaid, or to any Perſon or Perſons in Truſt for him, her, or them, and his, her, or their reſpective Executors, Adminiſtrators, and Aſſigns, to hold the ſame for any Term or Terms of Years, ſubject to Redemption on Payment of the Principal Money, at ſuch Time or Times, and with ſuch Intereſt thereon, not exceeding the Rate of Five Pounds *per Centum per Annum*, as ſhall be agreed upon.

Power to grant Mortgages to Mr. Bainbridge, and Meſſrs. Reed & Co. in Satisfaction of the Money owing to them.

V. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees, upon the Requeſt of the ſaid *Chriſtopher Bainbridge*, his Executors, Adminiſtrators, or Aſſigns, or of the ſaid Meſſieurs *Reed*, *Batſons*, *Reed*, and Company, or the Survivors or Survivor of them, or the Executors, Adminiſtrators, or Aſſigns of ſuch Survivor, or of any other Perſon or Perſons who ſhall be entitled to receive the ſaid Sums of Three thouſand five hundred and fifty-one Pounds Eleven Shillings and Eight-pence, and One thouſand ſeven hundred and forty-eight Pounds Eight Shillings and Four-pence, or any Part thereof reſpectively, to grant and aſſign the Rates hereby authorized to be made, or any Part or Parts thereof reſpectively, to them reſpectively, or to any other Perſon or Perſons in Truſt for them reſpectively, by way of Mortgage as aforeſaid; which ſaid Grants or Aſſignments ſhall be accepted and taken as the only Securities for the ſaid Sums of Three thouſand five hundred and fifty-one Pounds Eleven Shillings and Eight-pence, and One thouſand ſeven hundred and forty-eight Pounds Eight Shillings and Four-pence reſpectively, or ſo much thereof reſpectively as ſhall thereby reſpectively be expreſſed to be received.

VI. And

VI. And be it further enacted, That every ſuch Mortgage as ſhall be made in purſuance of this Act may be in the Words or to the Effect following; (that is to ſay),

Form of Mortgage.

'WE, the Truſtees under an Act of Parliament, paſſed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled [*here ſet forth the Title of this Act*] in purſuance of the ſaid Act, and in Conſideration of the Sum of paid by of to us, do hereby bargain, ſell, and aſſign unto the ſaid Executors, Adminiſtrators, and Aſſigns, the Rates ariſing by virtue of the ſaid Act, to hold the ſame unto the ſaid Executors, Adminiſtrators, or Aſſigns, from the Day of the Date hereof during the Continuance of the ſaid Act, unleſs the ſaid Sum of with Intereſt for the ſame at the Rate of Five Pounds *per Centum per Annum*, ſhall be ſooner repaid and ſatisfied. In Witneſs whereof we have hereunto ſet our Hands and Seals this Day of .'

Money to be raiſed not to exceed 5,300*l.*

VII. Provided always, and be it further enacted, That it ſhall not be lawful for the ſaid Truſtees to raiſe or borrow, or ſecure by the Ways or Means in this Act mentioned, any further Sum or Sums of Money than the Sum of Five thouſand three hundred Pounds, with Intereſt thereon from the Thirty-firſt of *December* laſt, in the whole.

Grants and Mortgages to be valid, and to have no Priority between each other.

VIII. And be it further enacted, That every ſuch Mortgage made in purſuance of this Act ſhall be good, valid, and effectual in the Law; and every Principal Sum, with Intereſt thereon, ſo to be ſecured as aforeſaid, ſhall be and is hereby charged upon the Chapel Rates which are hereinafter directed to be made for that Purpoſe; and all Perſons to whom any Mortgage ſhall be made as aforeſaid ſhall, in proportion to the Sum of Money thereby ſecured, be Creditors on the Rates by this Act authorized to be made, in equal Degree one with another; and no Perſon ſhall have any Preference in reſpect of the Priority of advancing his or her Money, or the Date of his, her, or their Security.

Mortgages may be aſſigned.

IX. And be it further enacted, That it ſhall be lawful for the Perſon or Perſons to be entitled to any Principal Sum or Sums of Money ſecured as aforeſaid, by Writing under their Hands and Seals, indorſed on his, her, or their Mortgage or Mortgages, or by any other Writing under their Hands and Seals, to transfer and aſſign the ſame to any Perſon or Perſons, and ſuch Transfers and Aſſignments may be in the Words or to the Effect following; (that is to ſay),

'I do hereby aſſign and transfer the within-mentioned Principal Sum of Pounds, and all Intereſt due and to accrue due thereon, and all my Right and Title to the ſame, unto his or her Executors, Adminiſtrators, and Aſſigns. Dated the Day of

And after ſuch Aſſignment and Transfer made, the Perſon or Perſons to whom the ſame ſhall be ſo aſſigned or transferred, and his, her, or their Executors, Adminiſtrators, and Aſſigns, ſhall from thenceforth be entitled

to the Benefit thereof and to Payment thereon; and ſuch Aſſignee or Aſſignees, and the Perſon or Perſons claiming under them reſpectively, may in like manner aſſign and transfer again, and ſo *toties quoties*; and all and every Perſon or Perſons to whom ſuch Aſſignments and Transfers ſhall be made, ſhall be Creditors on the ſaid Rates to be raiſed by virtue of this Act, without any Preference or Priority whatever.

All Grants and Aſſignments to be entered in a Book;

X. And be it further enacted, That there ſhall be provided by the Chapelwardens of the ſaid Chapelry, a Book or Books, to be kept in an Iron Cheſt to be placed in the Veſtry, and to be provided by and at the Expence of the Chapelry, in which ſhall be made Entries of all Mortgages and Securities made in purſuance of this Act, and all Transfers thereof reſpectively, expreſſing in Words at length the Names, Additions, Places of Abode, and other proper Deſcriptions of the Perſons entitled to the Principal Sums to be ſecured in purſuance of this Act; and which Book or Books all Perſons intereſted ſhall at all ſeaſonable Times have Acceſs to and Liberty to inſpect, upon Payment of Sixpence to the Perſon or Perſons having the Cuſtody thereof for the ſame; and which ſaid Book or Books may be produced and read in Evidence in all Courts of Law and Equity, and other Places whatſoever.

which ſhall be open to Inſpection.

Additional Rates to be made in certain Caſes.

XI. And whereas ſeveral Perſons have paid their reſpective Proportions of the Rates heretofore made as aforeſaid, but Doubts having ariſen as to the Validity of ſuch Rates, ſeveral other Perſons have not paid their reſpective Proportions thereof; for the Recovery thereof, be it further enacted, That it ſhall be lawful for the Chapelwardens of the ſaid Chapelry for the Time being, and they are hereby authorized and required (in addition to all other Church Rates hereby authorized to be made) to make a Rate or Rates upon the ſeveral Perſons liable to pay Church Rates within the ſaid Chapelry, equal in Amount to the Rates ſo heretofore made as aforeſaid; and all ſuch additional Rates ſhall be raiſed, levied, and collected in the like Manner, and with the like Powers and Remedies for Recovery thereof, and ſubject to Appeal in like Manner, as any other Church Rates may be raiſed, levied, collected, recovered, and appealed againſt; provided that all Perſons who have paid their reſpective Proportions of the Rates heretofore made as aforeſaid, ſhall be diſcharged from the Payment of the additional Rate or Rates hereby authorized to be made; provided alſo, that no Perſons ſhall be liable to be rated to the additional Rates hereby authorized to be made, who were not Occupiers of Lands, Tenements, or Hereditaments within the ſaid Chapelry at the Time or reſpective Times of making the ſeveral former Rates in lieu whereof the ſaid additional Rates are hereby authorized to be made.

All Monies raiſed by virtue of this Act veſted in the Truſtees.

XII. And be it further enacted, That all and every Sum and Sums of Money to be raiſed by the ſaid Truſtees by way of Mortgage as aforeſaid, and all and every the Sum and Sums of Money, if any, now remaining in the Hands of the Chapelwardens of the ſaid Chapelry, or any of them, and which have been received by them for the Purpoſe of defraying the Expences of taking down, rebuilding, repairing, and enlarging the ſaid Chapel,

Chapel, and have not been already applied for that Purpoſe, ſhall be and the ſame are hereby veſted in the ſaid Truſtees, to be applied by them for the Purpoſes of this Act.

Application of the Monies.

XIII. And be it further enacted, That the ſaid Truſtees ſhall, by and out of the Monies to be raiſed under or by virtue of this Act, or which are hereby veſted in them, pay to the ſaid *Chriſtopher Bainbridge*, his Executors, Adminiſtrators, or Aſſigns, the Principal Sum of Three thouſand five hundred and fifty-one Pounds Eleven Shillings and Eight-pence, with Intereſt thereon, to be computed at the Rate of Five Pounds *per Centum per Annum* from the ſaid Thirty-firſt Day of *December* now laſt paſt, until Payment thereof, or ſo much and ſuch Part thereof reſpectively as ſhall not be ſecured to him or them by way of Mortgage under the aforeſaid Proviſion in that Behalf; and alſo pay to the ſaid Meſſieurs *Reed*, *Batſons*, *Reed*, and Company, their Executors, Adminiſtrators, or Aſſigns, the Principal Sum of One thouſand ſeven hundred and forty-eight Pounds Eight Shillings and Four-pence, with Intereſt thereon, to be computed at the Rate aforeſaid, from the ſaid Thirty-firſt Day of *December* now laſt paſt, until Payment thereof, or ſo much thereof reſpectively as ſhall not be ſecured to them by way of Mortgage under the aforeſaid Proviſion in that Behalf; and alſo pay and ſatisfy all the Coſts and Expences to be neceſſarily incurred in any Action or Suit which may be defended or commenced or proſecuted under the Powers of this Act, and all other the Coſts, Charges, and Expences of the ſaid Truſtees to be neceſſarily incurred in the Execution of this Act, or in anywiſe relating thereto.

Power to make Rates to pay Mortgages.

XIV. And be it further enacted, That it ſhall and may be lawful for the Chapelwardens of the ſaid Chapelry for the Time being, and they are hereby required, from Time to Time, and ſo long as the Purpoſes of this Act ſhall require, to make ſuch Rate or Rates in the Nature of Church Rates in each Year, in addition to the Rates to be raiſed in the ſaid Chapelry for the ſeveral Purpoſes to which ſuch Rates are uſually applied, as will be ſufficient to pay all Intereſt which ſhall become due on the ſeveral Principal Sums of Money which ſhall be borrowed or ſecured by virtue of this Act, and ſuch further yearly Sum for the Purpoſe of reducing the ſaid Principal Sums of Money, as together with the Intereſt of the Principal Monies for the Time being remaining due ſhall amount to and not exceed Five hundred Pounds, or come as near thereto as Circumſtances will admit, ſo that no greater or leſs Sum than Five hundred Pounds, as nearly as may be, ſhall be in any one Year applied to the Liquidation of the ſaid Principal Sums of Money which ſhall have been borrowed or ſecured as aforeſaid, and the Intereſt thereof; and all ſuch Rates ſhall be raiſed, levied, and collected in the like Manner, and with the like Power and Authority for the enforcing Payment thereof, as Church Rates are raiſed, levied, and collected, and ſhall be applied by the ſaid Chapelwardens in the Payment of the Principal and Intereſt of any Sums of Money to be borrowed or ſecured as aforeſaid, until the ſame ſhall be paid reſpectively; and in caſe the Chapelwardens of the ſaid Chapelry ſhall in any Year refuſe or neglect to make or raiſe, levy and

and collect, ſuch ſufficient Rates as aforeſaid, for the Payment of the Intereſt and Principal of the ſaid Sums of Money as aforeſaid, then and in every ſuch Caſe the Chapelwardens ſo refuſing or neglecting to make, raiſe, levy, and collect ſuch Rates, ſhall be liable to pay the full Amount of any Deficiency which ſhall ariſe by reaſon of ſuch Refuſal or Neglect, to the ſeveral Perſons to whom ſuch Principal Sums to be ſecured as aforeſaid ſhall be due and owing; and ſuch Deficiency ſhall and may be recoverable in an Action of Debt, or on the Caſe againſt the ſaid Chapelwardens: Provided always, that in caſe any Deficiency ſhall ariſe from any Inability to pay, by any Perſon or Perſons charged with ſuch Rate, or other Loſs in the Collection thereof, it ſhall be lawful for ſuch Chapelwardens, or any ſucceeding Chapelwardens, to raiſe ſufficient to make up ſuch Deficiency for the Payment of any ſuch Mortgagees, or for Repayment to any ſuch preceding Chapelwardens, of any Money they may have advanced in reſpect of any ſuch Mortgage as aforeſaid, with Intereſt thereon at Five Pounds *per Centum per Annum*, by any additional Rate, or by adding the ſame to the Amount to be raiſed by any ſucceeding Rate, as may be neceſſary for ſatisfying ſuch Mortgagees, or repaying any Sums advanced by any ſuch Chapelwardens in reſpect thereof as aforeſaid, with ſuch Intereſt thereon as aforeſaid.

Power for Magiſtrates to order Payment of Rates with an Appeal to the Seſſions.

XV. And be it further enacted, That if any Perſon or Perſons ſhall refuſe or neglect to pay the Sum or Sums at which he or they ſhall or may be rated under and by virtue of this Act, it ſhall and may be lawful for any one Juſtice of the Peace for the County of *Durham*, upon the Complaint of all or any of the Chapelwardens who ought to receive and collect the ſame reſpectively, by Warrant under the Hand and Seal of ſuch Juſtice, to convene before any Two or more ſuch Juſtices of the Peace any Perſon or Perſons ſo refuſing or neglecting to pay ſuch Rate or Rates, or Sum or Sums of Money, and to examine upon Oath (which Oath the ſaid Juſtices are hereby empowered to adminiſter) into the Merits of the ſaid Complaint, and by Order under their Hands and Seals to direct the Payment of what is due and payable in reſpect of ſuch Rate, or Sum or Sums of Money, over and above the reaſonable Coſts and Charges to be aſcertained by ſuch Juſtices; and upon Refuſal or Neglect of ſuch Party to pay according to ſuch Order, it ſhall and may be lawful for any Two of ſuch Juſtices, by Warrant under their Hands and Seals, to levy the Money thereby ordered to be paid, together with the Amount of ſuch Coſts and Charges, by Diſtreſs and Sale of the Goods of ſuch Perſon or Perſons ſo neglecting or refuſing, his or their Executors or Adminiſtrators, rendering only the Overplus to him, her, or them, the neceſſary Charges of diſtraining being thereout firſt deducted and allowed by the ſaid Juſtices; and any ſuch Perſon or Perſons finding himſelf, or herſelf, or themſelves, aggrieved by any Judgment given by Two or more ſuch Juſtices as aforeſaid, may at the Time of ſuch Judgment being given, upon entering into his, her, or their own perſonal Recognizance or Recognizances in the Sum of Ten Pounds, conditioned to proſecute his, her, or their Appeal, as herein-after mentioned, againſt any ſuch Judgment, which Recognizance

or

or Recognizances any one of the ſaid Juſtices is hereby required to take, appeal to the then next General Quarter Seſſions to be held for the County of *Durham;* and the Juſtices of the Peace there preſent, or the major Part of them, ſhall proceed finally to hear and determine the Matter, and to reverſe the ſaid Judgment, if they ſhall ſee Cauſe, with Coſts; and it ſhall be lawful for the Juſtices then preſent, or the major Part of them, to order and award the Coſts incurred by either of the Parties in proſecuting or defending ſuch Appeal, to be paid by the other of them, according to the Determination of ſuch Appeal, and to order ſuch Coſts to be levied by Diſtreſs and Sale of the Goods and Chattels of the ſaid Party made liable to the Payment thereof: Provided always, that in caſe any ſuch Appeal be made as aforeſaid no Warrant of Diſtreſs ſhall be granted until ſuch Appeal ſhall be determined: Provided likewiſe, that if the Validity of ſuch Rate, or the Liability of the Perſon or Perſons from whom it is demanded to pay the ſame, be diſputed, and the Party diſputing the ſame give Notice to the ſaid Juſtices of his Intention to appeal to the ſaid then next General Quarter Seſſions of the Peace, and enter into ſuch Recognizance as aforeſaid, ſuch Juſtices ſhall forbear giving Judgment thereon.

Accounts to be kept.

XVI. And be it further enacted, That the ſaid Truſtees ſhall keep true and juſt Accounts of all Money raiſed, levied, and paid by them under the Proviſions of this Act, and ſhall duly account to the Perſons liable to pay ſuch Rates aſſembled at the Veſtry in the ſaid Chapelry, and for that Purpoſe Two Meetings of ſuch Perſons ſhall be held in each Year, in the firſt Week in *May*, and in the firſt Week in *November* reſpectively, of which Notice ſhall be put up by the ſaid Truſtees upon the Doors of the ſaid Chapel, and alſo given in the ſaid Chapel on the Two *Sundays* reſpectively immediately preceding each of ſuch Meetings; and in caſe the ſaid Truſtees ſhall neglect to give ſuch Notice of ſuch Meetings as aforeſaid, it ſhall be lawful for any Perſon liable to the Payment of Church Rates in the ſaid Chapelry to ſummon Veſtry Meetings for the auditing and examining ſuch Accounts, upon like Notice as aforeſaid, and at each of ſuch Veſtry Meetings under this Act all ſuch Accounts ſhall be examined and audited by the Perſons aſſembled at ſuch Veſtry Meetings.

Truſtees Accounts to be open to Inſpection.

XVII. And be it further enacted, That the Accounts of the ſaid Truſtees ſhall at all ſeaſonable Times be open to the Inſpection of any Perſon or Perſons liable to be rated or aſſeſſed by virtue of this Act, and of any Creditor or Creditors on the Rates hereby authorized to be made, without Fee or Reward; and all ſuch Perſons 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 any Perſon having the Cuſtody of the ſaid Book or Books ſhall refuſe to permit, or ſhall not permit, any ſuch Perſons or Creditors to inſpect the ſame Book or Books, or to take ſuch Copies or Extracts as aforeſaid, the Perſon ſo refuſing ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds.

Public Act. XVIII. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1819.