Anno tricesimo

Georgii II. Regis.

An Act to explain, amend, and render more effectual, an Act made in the last Session of Parliament, for repairing and widening several Roads leading from a Gate called *Poole Gate*, in the Town and County of *Poole*.



WHEREAS by an Act made in the last Session of Parliament, intituled, An Act for repairing and widening several Roads leading from a Gate called *Poole Gate*, in the Town and County of *Poole*; several Tolls or Duties and Powers were granted for repairing the Road from a Gate called Poole Gate, in the Town and County of Poole, through the Parish of Great Canford, in the County of Dorset, the Town and Parish of Winbourne Minster, and the several Parishes of Little Hinton, Hinton Martel, Horton, Woodland, Winbourne, Saint Giles, Edmonsham, and through the Town and Parish of Cranbourne, in the said County, and through Tedpit, in the Parish of Martin, in the County of Wilts, to the great Western Road leading from the City of New Sarum, in the said County of Wilts, to the Town of Blandford Forum, in the said County of Dorset; and also the Road from the said Gate

Preamble, reciting an Act of the last Session.

called Poole Gate, through Part of the several Parishes, Tills, or Hamlets of Longfleet, in the Parish of Canford aforesaid, and the Tything of Parkson, in the said County of Dorset, to a Place called Bourn Bottom, in the County of Southampton, being Part of the High Road from the said Town and County of Poole to the Town of Christ Church Twynham, in the said County of Southampton; and also the Road from the said Gate called Poole Gate, through Part of the several Parishes, Tills, and Hamlets of Longfleet, Parkson, and Great Canford aforesaid, and Kingston, in the said County of Dorset, to a Bridge called Longham Bridge, in the Parish of Hampreston, in the said County of Dorset, being the High Road from the said Town and County of Poole to the Town of Ringwood, in the said County of Southampton; and also the Road from the said Gate called Poole Gate, through Part of the several Parishes, Tills, or Hamlets of Longfleet and Great Canford aforesaid, and Corfe Mullen, Litchett Minster, otherwise South Litchett and Litchett Matravers, in the said County of Dorset, to an Inn there called the Chequer Inn, being the High Road leading from the said Town and County of Poole to the Town of Beer Regis, in the said County of Dorset; and also the Road from Lichett Minster, otherwise South Litchett aforesaid, over a Bridge called King Bridge, in the said Parish of Litchett Minster aforesaid, and One Mile beyond the same in the High Road leading from the said Town and County of Poole, to the Borough of Wareham, in the said County of Dorset; and also the Road from a Place called Broomhill, being the Boundary between the said Town and County of Poole and the Parish of Hamworthy, in the said County of Dorset, through the said Parish and Street of Hamworthy, and Part of the Parish of Litchett Minster aforesaid, to the other Road there leading from the said Gate called Poole Gate to the said Parishes of Litchett Minster and Litchett Matravers: And whereas the Trustees for executing the said Act, have by virtue of the Powers thereby granted, erected a Gate or Turnpike at a Place called Hyllay Gate, in the Parishes of Little Hinton and Hinton Martel, or One of them; and it is necessary that the said Gate or Turnpike should be taken down, and that other Gates or Turnpikes should be erected at particular Places to be ascertained for that Purpose: And whereas it is also necessary for the more easy and effectual Execution of the said Act, that several of the Provisions and Powers in the said Act should be explained and amended, and the said Act made more effectual: May it therefore

fore 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 Trustees appointed by and in pursuance of the said Act, or any Seven or more of them, shall cause the said Gate or Turnpike at or near Highlay Gate to be taken down and removed, on or before the Twenty fourth Day of June, One thousand seven hundred and fifty seven; and that no Gate or Turnpike shall be afterwards set up, or Tolls collected there, during the Continuance of the said former Act; any thing in the said Act contained to the contrary notwithstanding.

Highlay Turnpike to be taken down, &c.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall, on or before the said Twenty fourth Day of June, One thousand seven hundred and fifty seven, cause One Gate or Turnpike to be erected on the South Side of a certain Bridge near the said Town of Winbourne Minster, called Warford Bridge, across the Ends of Two Streets in the Town of Winbourne Minster aforesaid, called the Crooked Borough and the Straight Borough; and also a Toll-house at or near such Gate or Turnpike; and also One other Gate or Turnpike to be erected cross the Road leading from the Town of Cranbourne towards the City of Salisbury, at or near the North End of the said Town of Cranbourne, at or near to the Place where a Lane called Blagden Lane communicates with the said Road, and between the North End of the Town of Cranbourne, and the said Lane called Blagden Lane; and also, if they shall think fit, One other Gate or Turnpike on the Side of the said Road, cross the End of the said Lane; and also a Toll-house at or near the said Gates or Turnpikes; and the said Gates or Turnpikes shall remain at such Places respectively, and the Tolls or Duties granted or authorized by the said former Act to be collected, shall be demanded, collected, levied, and received, at each of the said Gates or Turnpikes during the Continuance of the said former Act, in such and the same Manner, and with the same Powers and Authorities, as such Tolls or Duties are by the said former Act directed and authorized to be demanded, collected, levied, and recovered; and such Tolls or Duties are hereby vested in the said Trustees, and shall be applied in such Manner as is herein after prescribed.

New Turnpikes to be erected.

How often Tolls are to be paid in each Day.

Provided always, and be it further enacted by the Authority aforesaid, That no more than One Toll shall be paid for the Passage of any Carriage or Cattle, in any One Day, through any One of the Gates or Turnpikes to be erected by virtue of this Act; nor shall any more than One Toll be paid for the Passage of any Carriage or Cattle, in any One Day, through the said Gate or Turnpike to be erected cross the said Road leading from the said Town of Cranbourne, towards the said Town of Winbourne Minster, and the Gate or Turnpike on the Side of such Road across the said Lane called Blagden Lane, in case such Side Gate shall be erected; nor shall any more than One Toll be paid for the Passage of any Carriage or Cattle, in any One Day, through the Gates or Turnpikes erected by virtue of the said former Act, at or near Poole Gate and Ham; but, that after Payment of such Toll respectively, as aforesaid, such Carriage or Cattle shall and may pass Toll-free through such Gate or Turnpike, Gates or Turnpikes respectively, as aforesaid, the Remainder of such Day (each Day being computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night) in case a Note or Ticket is produced, denoting the Payment of such Toll respectively; which Notes or Tickets the Collectors of the Tolls are hereby required to give gratis, on the Receipt of the Toll; any thing in the said former Act contained to the contrary notwithstanding.

Exemptions.

Provided also, That all such Cattle, Carriages, Wagons, and Things, as were exempted by the said former Act from the Payment of Tolls, shall be exempted from the Payment of Tolls at the Gates or Turnpikes to be erected by virtue of this Act.

Water, &c. exempted.

And be it further enacted by the Authority aforesaid, That no Toll shall be demanded or taken at any of the Gates or Turnpikes erected or to be erected by virtue of the said former Act, or this present Act, for any Carriage or Cattle going out with proper Vessels empty or unloaded for, and returning loaded only with Water or Milk, to be used in the said Town and County of Poole; any thing in the said former Act contained to the contrary notwithstanding.

Tolls to be Security for Money already borrowed;

And be it further enacted by the Authority aforesaid, That the Tolls or Duties arising at the Gates or Turnpikes to be erected by virtue of this Act, shall, together with the Tolls or Duties arising at the Gates or Turnpikes erected, or to be erected, by virtue of the said former Act, be a Security for such Principal Monies as have been already borrowed by virtue of the said former Act,

and

and for the Interest due, or to grow due, upon such Principal Monies; and the said Trustees, or any Eleven or more of them, may, and are hereby authorized to assign over the Tolls or Duties arising by virtue of the said former Act, and this Act, as a Security or Securities for any Sum or Sums of Money to be hereafter borrowed in such Manner as the Tolls or Duties collected at the Gates or Turnpikes erected by virtue of the said former Act, are in such Act authorized to be assigned, so as that the Whole of the Monies borrowed do not exceed, together with the Monies already borrowed, the Sum limited in the said former Act to be borrowed on the Credit of the Tolls or Duties thereby granted; and such Securities or Assignments shall be without Preference, and subject to the same Orders and Regulations as by the said former Act are directed and prescribed for or concerning the Sum of Five thousand Pounds, by the said former Act authorized to be borrowed, or any Part or Parts thereof; and may be in like Manner transferred or assigned over. and may be assigned.

Provided always, That no Money shall be borrowed upon any particular Tolls or Duties, or the Tolls or Duties arising at any particular Gate or Turnpike, Gates or Turnpikes, erected, or to be erected, by virtue of the said former Act, or this present Act; but that all such Monies shall be borrowed generally upon the Credit of all the Tolls or Duties arising by virtue of the said former Act and this present Act; any thing in the said former Act contained to the contrary notwithstanding. Proviso.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, shall, on or before the said Twenty fourth Day of June, One thousand seven hundred and fifty seven, nominate and appoint One of the Trustees, who shall be an Inhabitant of the said Town and County of Poole, to be Treasurer for such of the said Roads as are on the South Side of the said River Stour, and also One other Trustee who shall be an Inhabitant of some Town, Parish, or Place, North of the River Stour, to be Treasurer for such of the said Roads as are on the North Side of the said River, and, from time to time, may remove and displace any such Treasurer; and, in case of such Removal, or the Death, Resignation, or Refusal to act, of any such Treasurer, and also as often as any such Treasurer so to be, from time to time, appointed for the Roads on the South Side of the said River, shall discontinue to be an Inhabitant of the said Town of Poole, or the Treasurer appointed for the Roads on the North Side of the said River, shall discontinue to be an Inhabitant of any such Town, Separate Treasurers to be appointed.

Town, Parish, or Place, North of the said River, as aforesaid, the said Trustees, or any Nine or more of them, shall, and are hereby required, from time to time, during the Continuance of the said former Act, in each of the said Cases respectively, as soon as conveniently may be, to elect and appoint One other Trustee, being an Inhabitant respectively as aforesaid, instead of such former Treasurer; and such Treasurers shall give such Security for the due Execution of their respective Offices, and shall account and pay over the Monies in their Hands; and in case of Default therein, shall be proceeded against in such Manner as is directed, authorized, or required, in the said former Act, with respect to the Treasurers appointed in pursuance thereof.

An Account of Receipt and Application of Monies to be stated.

And whereas no Directions are given in the said Act, with respect to what Parts or Proportions of the Tolls or Duties collected and raised, and Monies borrowed by virtue of the said Act, shall be allotted and applied to the Repair of such Parts of the said Roads as are on the South and North Sides of the said River Stour; and if it is necessary that such Proportions should be ascertained; be it therefore enacted by the Authority aforesaid, That the said Trustees shall, and they are hereby required, to meet together at the House called the New Inn, in Winbourne Minster aforesaid, on the Twelfth Day of July, One thousand seven hundred and fifty seven; and they, or any Seven or more of them, so assembled, shall, on such Day, or within Ten Days thereafter, make, or cause to be made out, a full and perfect Account of all the Tolls or Duties which shall have been collected, and also of all Monies which shall have been borrowed by virtue of the said former Act and this Act, before the said Twelfth Day of July, One thousand seven hundred and fifty seven; and then shall state and deduct from the Total of such Monies the Expences incurred in or upon Account of obtaining the said former Act and this Act, and also the Interest Monies which shall have been paid, or shall be then due, for or upon Account of the Principal Monies which shall have been borrowed by virtue of the said former Act, and also such Expences as shall have been discharged, or shall be then due, for or upon Account of erecting the Gates or Turnpikes, and Toll-houses, in pursuance and by virtue of the said former Act, and this Act, and also all such Sums of Money as shall have been expended, or shall be then due, for or upon Account of the Collection of the Tolls made payable by the said former Act, and this Act; and also such Payments as shall have been made, and shall be then due for and upon Account of the general Execution

tution of the said former Act, and which did not, or shall not, any ways particularly relate to, or concern, the repairing or widening the Roads on the South Side, or on the North Side, of the said River Stour; and after such Deductions are made, Two Third Parts of the remaining Sum shall be stated in such Account, as the Proportion of such Sum, applicable to the repairing and widening such of the said Roads as are on the South Side of the said River; and the remaining One Third Part thereof as the Proportion of such Sum, applicable to the repairing and widening such of the said Roads as are on the North Side of the said River; and then the said Trustees shall state in such Account the Sum and Sums of Money which shall have been expended, and shall be then due, for and upon Account of the repairing and widening such of the said Roads as are on the South Side of the said River; and deduct the same from such Two Third Parts as aforesaid; and the Sum remaining, after such Deduction, shall be paid into the Hands of the Treasurer appointed in Manner as aforesaid, for such of the said Roads as are on the South Side of the said River; and the said Trustees shall, in like Manner, state in such Account the Sum and Sums of Money which shall have been expended, and shall be then due, for and upon Account of the repairing and widening such of the said Roads as are on the North Side of the said River, and deduct the same from the said One Third Part as aforesaid; and the Sum remaining due, after such Deduction, shall be paid into the Hands of the Treasurer appointed in Manner as aforesaid for such of the said Roads as are on the North Side of the said River; and in case it shall appear on such Account, that a larger Share or Proportion than the said Two Third Parts, or the said One Third Part, of the said Monies hath been expended, and shall be due upon Account of, and in relation to, the Roads either on the South or on the North Side of the said River respectively, whereby the Payment, which ought to be made to the Treasurer for the Roads on the other Side of such River, shall become deficient, then, and in such Case, the Sum over and above such respective Proportion shall be stated as a Debt due from the Roads, in relation whereto the same was expended, or shall be due, and shall be deducted and taken out of the First Monies which shall be allotted or apportioned in Manner herein after-mentioned, to the Roads in relation whereto such Surplus shall have been expended or be due, and shall be paid to the Treasurer for the other Roads, in Discharge of such Deficiency; and all such Monies, so paid to such respective Treasurers

Money remaining to be apportioned to the Roads North and South of the *Stour*.

as aforesaid, shall be applied in Manner herein after prescribed; any thing in the said former Act contained to the contrary notwithstanding.

Tolls, and Money borrowed, after 12 *July*, 1757, to be apportioned.

And be it further enacted by the Authority aforesaid, That from and after the said Twelfth Day of July, One thousand seven hundred and fifty seven, all Monies arising by the said Tolls or Duties which shall be collected and levied, during the Continuance of the said former Act, and this present Act, upon and on Account of such of the said Roads as are on each Side of the said River, shall be paid by the Collectors, and all other Persons receiving the same, into the Hands of the Treasurers appointed as aforesaid, for such Roads respectively; and such Monies, and also all Monies which shall be borrowed and received by virtue of the said former Act, and this present Act, shall, after the Discharge of, or Reservation of, a Sum or Sums sufficient to discharge the Interest, from time to time, due upon the Principal Monies already borrowed, and hereafter to be borrowed, and the Repayment of such, or so much of such, Principal Monies as shall be demanded and be due; and also the Discharge of, or Reservation of, a Sum or Sums sufficient to discharge the Expences of supporting and repairing the Gates or Turnpikes, and Toll-houses, erected in pursuance and by virtue of the said former and this Act; and also all such Expences as shall be, from time to time, incurred, for or upon Account of the Collection of the Tolls made payable by the said former Act, and this Act; and also all such Expences and Charges as shall be, from time to time, incurred for, and upon Account of, the general Execution of the said former Act, and this Act, and which shall not any ways particularly relate to, or concern, the repairing or widening the Roads on the South Side, or on the North Side, of the said River; and also the Expences of obtaining this Act, or such Part of the said Expences as may remain undischarged out of the Monies collected and borrowed before the said Twelfth Day of July, One thousand seven hundred and fifty seven, be, from time to time, allotted and apportioned by the said Trustees, or any Seven or more of them, in Manner following; that is to say, Two Third Parts of all such Monies shall be apportioned and allotted for such of the said Roads as are on the South Side of the said River, and the remaining One Third Part of such Monies for such of the said Roads as are on the North Side of the said River; and such respective Sums of Money, so apportioned and allotted, shall be paid over to such respective Treasurers, in the respective Proportions aforesaid.

Provided always, and be it further enacted by the Authority aforesaid, That all such Sum and Sums as shall be deducted, taken, or reserved, as aforesaid, out of the Monies which have arisen, or shall hereafter arise, by the said Tolls or Duties, and the Monies borrowed and to be borrowed by virtue of the said former Act, and this present Act, for the Discharge of the Expences of this present Act, and Principal and Interest Monies, and for Payment of the Expences of erecting, supporting, and repairing all the Gates or Turnpikes, and Toll-houses, and the Collection of the Tolls, and the Expences and Charges of the general Execution of the said former Act, and this present Act, shall, from time to time, be deposited in the Hands of such Person or Persons, as the said Trustees, or any Eleven or more of them, shall, from time to time, direct and appoint; which Person or Persons so appointed shall pay such Monies to the Persons respectively intitled thereto. Proviso.

And be it further enacted by the Authority aforesaid, That all the Monies which, upon the Balance of such Account as aforesaid, shall be paid into the Hands of the said respective Treasurers, and also all the Monies which shall be apportioned and allotted in Manner herein before directed for the Roads on each Side of the said River, shall be applied and expended in Manner following; that is to say, All the Monies which shall be paid upon the Balance of such Account into the Hands of the Treasurer, for such of the said Roads as are on the South Side of the said River, and all the Monies which shall be apportioned and allotted in the Manner herein before directed for such Roads on the South Side of the said River, shall be applied and expended, from time to time, in repairing, widening, and keeping in Repair, the said Roads on the South Side of the said River, and in defraying the necessary Expences of executing this Act, in relation to such Roads, and to no other Use or Purpose whatsoever; and all the Monies which shall be paid, upon the Balance of the said Account, into the Hands of the Treasurer, for such of the said Roads as are on the North Side of the said River, and all the Monies which shall be apportioned and allotted in Manner herein before directed for such Roads on the North Side of the said River, shall be applied and expended, from time to time, in repairing, widening, and keeping in Repair, the said Roads on the North Side of the said River, and in defraying the necessary Expences of executing this Act, in relation to such Roads, and to no other Use or Purpose whatsoever. Application of the Monies.

And be it further enacted by the Authority aforesaid, That all the Meetings of the Trustees, for putting in Execution Meetings to be held at *Poole* and *Winbourne Minster*.

Execution the said former Act, and this Act, or either of them, shall be held within the said Town and County of Poole, or within the said Town of Winbourne Minster, and not elsewhere; and that every Third Meeting of the said Trustees shall be held within the said Town and County of Poole, and not elsewhere; any thing in the said former Act, or this Act, contained to the contrary notwithstanding.

Election of Trustees.

And be it further enacted by the Authority aforesaid, That upon every Vacancy which hath happened, or shall happen, by the Death, Removal, or Refusal to act, of any Trustee inhabiting within the said Town and County of Poole, the surviving or remaining Trustees, or any Eleven or more of them, shall and are hereby required, from time to time, at a Meeting to be held within the said Town and County of Poole, to elect another Person, inhabiting within the said Town and County, and qualified as is required by the said former Act, in the Stead of every such Trustee who hath died, removed, or refused to act, or shall die, remove, or refuse to act; and no other Person whatsoever shall be capable of being elected upon any such Vacancy; and every such Vacancy as hath already happened, shall be filled up as aforesaid, on or before the said Twelfth Day of July, One thousand seven hundred and fifty seven, or at the First Meeting which shall be held at the said Town and County of Poole; and every future Vacancy within the Space of Six Months after the same shall respectively happen; and that upon every Vacancy which hath happened, or shall happen, by the Death, Removal, or Refusal to act, of any Trustee not inhabiting within the said Town and County of Poole, the surviving and remaining Trustees, or any Eleven or more of them, shall and are hereby required, from time to time, at a Meeting to be held at the said Town of Winbourne Minster, to elect another Person not inhabiting within the said Town and County of Poole, and qualified as is required by the said former Act, in the Stead of every such Trustee who hath died, removed, or refused to act, or shall die, remove, or refuse to act; and every such Vacancy as hath already happened, shall be filled up as aforesaid, on or before the said Twelfth Day of July, One thousand seven hundred and fifty seven; and every future Vacancy, within the Space of Six Months after the same shall respectively happen; any thing in the said former Act contained to the contrary notwithstanding.

Provided always, and be it further enacted by the Authority aforesaid, That the Gates or Turnpikes which have been erected by virtue of the said former Act, at or near

near Poole Gate and Ham, shall continue at such Places during the Continuance of the said former Act; and that no other Gate or Turnpike shall be erected cross any of the Roads on the South Side of the said River; any thing in the said former Act contained to the contrary notwithstanding.

Gates at *Poole* and *Ham* to be erected, and no others to be erected South of the *Stour*.

And whereas by the said former Act it is enacted, That it shall and may be lawful for the said Trustees, or any Fifteen or more of them, with the Consent of the Mortgagee or Mortgagees, or other Creditors, to lessen or alter any or either of the Tolls by the said Act granted, for such Time or Times as they shall think proper: And whereas it is necessary that a less Number of Trustees should be authorized to execute this Power, and that such Reductions should be equal upon all the said Roads; be it therefore enacted by the Authority aforesaid, That it shall be lawful for the said Trustees, or any Eleven or more of them, with the Consent of such Person or Persons as shall have lent or advanced Money on the Credit of the Tolls granted by the said former Act, and this Act, to lessen or alter, at any Time or Times, all, or any, or either of the said Tolls, and for such Time as they shall think proper; and such Tolls so lessened or altered, shall be collected and recovered in the same Manner as the Tolls are directed and authorized by the said former Act, and this Act, to be collected and recovered, and shall be applied in such Manner as the Tolls are by this Act directed to be applied; but that all Reductions or Alterations of the Tolls shall be equal at all the Gates or Turnpikes erected in pursuance of the said former Act, and this present Act; and that no greater or lesser Toll shall be paid at any One of such Gates or Turnpikes, than is taken at any other of such Gates or Turnpikes; any thing in the said Act contained to the contrary notwithstanding.

Tolls how to be lessened.

And be it further enacted by the Authority aforesaid, That all the Powers, Directions, Authorities, Provisions, Clauses, Penalties, Punishments, Regulations, and Restrictions, in the said former Act contained (except where the same are altered by this present Act) shall operate and be executed, performed, allowed, and observed, with respect to this Act, in such and the same Manner, and as fully to all Intents and Purposes, as if the same were herein inserted and repeated with the Alterations herein contained.

Former Act extended to this, except where altered.

Provided always, and be it further enacted by the Authority aforesaid, That all Matters and Things, which, by the said former Act, are directed or authorized to be executed and performed by any Fifteen or more of the said

Commencement and Continuance of this Act.

Trustees, shall and may be executed and performed by any Eleven or more of the said Trustees; any thing in the said former Act contained to the contrary notwithstanding.

Continuance of this Act. And be it further enacted by the Authority aforesaid, That this Act, and all the Powers, Directions, and Provisions herein contained, shall continue, and be executed, during the Term or Continuance of the said former Act.

Limitation of Actions. And be it further enacted by the Authority aforesaid, That if any Action or Actions, Suit or Suits, shall be brought against any Person or Persons for any Thing done, or to be done, by virtue or in pursuance of this Act, or in relation to the Matters herein contained, such Actions and Suits, and every of them, shall be commenced within Six Months next after doing the Matter or Thing for which such Action or Actions, Suit or Suits, shall be so brought, and not afterwards; and shall be brought, laid, and tried, in the County or Place where such Matters or Things respectively shall be committed or done, and not in any other County or Place; and that the Defendant or Defendants in such Actions and Suits,

General Issue. and every of them, may plead the General Issue, and give this Act, and the Special Matter, in Evidence, in any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Actions, Suit or Suits, shall be so brought, was done in pursuance, and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done; or if any such Action or Suit shall not be commenced within the Time before limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants; or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become Nonsuited, or suffer a Discontinuance of such Action or Actions; or if, upon any Demurrer or Demurrers in such Action or Actions, Judgement shall be given for the Defendant or Defendants therein; then, and in either of the Cases aforesaid, such Defendant or Defend-

Triple Costs. ants shall have Triple Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs, in any other Cases by Law.

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

FINIS.

3