Anno quarto

Georgii III. Regis.

An Act for extending the Provisions of an Act passed in the Twenty fifth Year of His late Majesty, for repairing the Roads from the North End of *Malling Street* near *Lewes*, and other Roads in *Sussex*, to the Road leading from the North End of *Offham* to the *Spital Barn* in *Lewes* aforesaid.

WHEREAS an Act passed in the Twenty fifth year of the Reign of His late Majesty, intituled, An Act for Repairing the Roads from the North End of *Malling Street* near the Town of *Lewes*, to *Witch Cross*; and from the North End of *Malling Street* aforesaid to the *Broil Park Gate*; and from *Offham* to *Witch Cross* aforesaid, all lying within the County of *Sussex*: Preamble, reciting Act 25 *Geo.* II.

And whereas the Road leading from the North End of Offham aforesaid, through Offham Street, to a certain Place in the Parish of Saint Peter and Saint Mary Westout, in Lewes, called The Spital Barn, is in a ruinous Condition, narrow in many Places, and cannot be sufficiently amended, widened, and kept in Repair, by the ordinary Course of Law; and whereas the extending the Powers of the said Act to the Repair of the said last mentioned Road, would be of public Utility: 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 from and after the passing of this Act, the Trustees appointed, or to be appointed, to put in Execution the said Act of the Twenty fifth Year of the Reign of his late Majesty, shall be, and they are hereby appointed Trustees for surveying, ordering, repairing, widening, and keeping in Repair, the said Road, from the North End of Offham, through Offham Street, to a certain Place in the Parish of Saint Peter and Saint Mary Westout, in Lewes, called The Spital Barn; and that the said Trustees, or any Fifteen or more of them, shall, and may cause to be erected, One or more Gate or Gates, Turnpike or Turnpikes, Toll-house or Toll-houses, in, or upon, any Part of the said last mentioned Road, or on the Sides thereof, or cross any Lane or Way leading into the same; and take such and the like Tolls or Duties, before any Horse, Cattle, or Carriage, be permitted to pass through the same, as they are now impowered to do on the Roads directed to be repaired by the said Act: And that all and every the Powers, Provisions, Clauses, Limitations, Exceptions, Penalties, Forfeitures, and all other Matters and Things whatsoever, contained in the said Act of the Twenty fifth Year of his late Majesty's Reign, shall be, and they are hereby declared to be extended to the said additional Road, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this present Act.

Powers of the former Act, &c. extended to this.

Proviso. Provided always, That nothing herein contained shall oblige any Person or Persons passing through the said

Gate or Gates, Turnpike or Turnpikes, to be erected by virtue of this Act, to pay any new or other Toll or Duty, than they are by virtue of the said former Act obliged to pay.

Qualification of Trustees.

And be it further enacted by the Authority aforesaid, That no Person shall be capable of acting as a Trustee for putting this Act in Execution, unless he shall be qualified in such Manner as by the said Act of the Twenty fifth Year of His late Majesty's Reign is directed and prescribed.

Time and Place of Trustees Meeting.

And be it further enacted by the Authority aforesaid, That the Trustees appointed by the said former Act, or any Nine or more of them, shall meet for the First Time, to proceed upon the Execution of this Act, upon the Third Monday after the Day of passing this Act, at the House known by the Sign of The Star, in Lewes aforesaid, and adjourn themselves; and shall afterwards meet there, or at any other Place, in such Manner as directed by the said Act of the Twenty fifth Year of the Reign of His late Majesty.

Charges of passing this Act to be first paid,

And be it further enacted by the Authority aforesaid, That the Charges and Expences of procuring and passing this Act, shall be paid out of the Money that has arisen, or out of the First Money that shall arise, by virtue of the said Act passed in the Twenty fifth Year of His late Majesty's Reign.

Limitation of Actions,

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, the same shall be commenced within Six Calendar Months next after the Fact committed, and not afterwards, and shall be laid or brought in the County of Sussex, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if it shall appear so to be done, or that such Action or Suit shall be commenced after the Time before limited for bringing the same, or shall be brought in any other County or Place, that then the Jury shall find for the Defendant or Defendants; and upon a Verdict for the Defendant or Defendants, 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 ap-

General Issue.

peared; or if, upon Demurrer, Judgement shall be given against the said Plaintiff or Plaintiffs; the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law.

Treble Costs.

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 be judicially taken Notice of as such by all Judges, Justices, and others, without specially pleading the same.

FINIS.