Anno quinto

Georgii III. Regis.

An Act for continuing the Term, and altering and enlarging the Powers of an Act passed in the Thirtieth Year of the Reign of His late Majesty, For amending, widening, and keeping in Repair, the Roads leading from the Village of *Milford* in the County of *Surrey*, through *Petworth*, to the Top of *Dunckton Hill*, and from *Petworth* to *Stopham Bridge*, in the County of *Sussex*.

WHEREAS by an Act passed in the Thirtieth Year of the Reign of His late Majesty, intituled, An Act for amending, widening, and keeping in Repair, the Roads leading from the Village of *Milford* in the County of *Surrey*, through *Petworth*, to the Top of *Dunckton Hill*, and from *Petworth* to *Stopham Bridge*, in the County of *Sussex*, several Tolls or Duties and Powers were granted for repairing the said Roads for the Term of Twenty one Years: And whereas the Trustees appointed to put the said Act in Execution, for the speedy repairing the said Roads, borrowed a considerable Sum of Money upon the Credit of the Tolls

Preamble, reciting Clauses in 30 *Geo.* II.

or Duties by the said Act granted; which Sum of Money cannot be repaid, and the said Roads effectually repaired, widened, and kept in Repair, unless the Term granted by the said Act is further continued, and the Powers thereof are altered and enlarged: And whereas by the said Act, the Trustees, or any Seven or more of them, or such Person or Persons as they shall appoint, are authorized and impowered to erect and set up Two Turnpikes or Toll-gates and Toll-houses, in, upon, or across, that Part of the said Roads which lies between the Village of Milford and the Town of Petworth, One at North Bridge Hill, and the other at the End of the North Street of Petworth; and also to erect and set up One or more Turnpike or Turnpikes, Toll-gate or Toll-gates, and Toll-houses, in, upon, or across, that Part of the said Roads which lies between the Town of Petworth and the Top of Dunckton Hill; and also to erect and set up One or more Turnpike or Turnpikes, Toll-gate or Toll-gates, and Toll-houses, in, upon, or across, that Part of the said Roads which lies between Stopham Bridge and Stopham Common: And whereas it hath been found by Experience, that the Payment of the Tolls or Duties by the said Act granted, hath been greatly evaded by the erecting the Toll-gates or Turnpikes at the Places by the said Act directed, and the Execution of the said Act hath been thereby retarded; 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 it shall and may be lawful for the Trustees appointed to put the said recited Act in Execution, or any Seven or more of them, or such Person or Persons as they, or any Seven or more of them, shall direct or appoint, to take down all or any the Turnpikes or Toll-gates and Toll-houses now erected and set up, in, upon, or across, any Part or Parts of the said Roads, and to erect and set up such and so many Turnpikes or Toll-gates and Toll-houses, at such Place or Places, in, upon, or across, any Part or Parts of the Roads by the said Act directed to be repaired and widened; as they, or any Seven or more of them, shall think necessary for carrying the said Act into effectual Execution, and to demand and take at the said Turnpikes or Toll-gates such and the same Tolls or Duties as are granted in and by the said recited Act for repairing and widening the said Roads.

Trustees may erect Turnpikes and Toll-houses, &c.

Trustees may erect Side-gates, &c.

And be it further enacted, That from and after the passing of this Act, it shall and may be lawful to and for the said Trustees, or any Seven or more of them, or such Person or Persons as they shall direct and appoint, to erect and set up One or more Turnpike or Turnpikes, Toll-gate or Toll-gates, and Toll-house or Toll-houses, on the Side or Sides of the said Roads, or upon, in, or across, any Lane or Way leading into or out of the same, to prevent Persons evading the Payment of the Tolls or Duties by the said Act granted, and by this Act continued; and there to cause to be taken and levied such Tolls or Duties as by the said recited Act and this Act, are made payable at any Turnpike or Toll-gate erected by virtue of the said Act or this Act, so as the same do not extend to a Double Charge upon any Person or Persons passing through any other Turnpike or Toll-gate erected by virtue of the said Act or this Act.

and take Tolls thereat,

so as the same do not extend to a Double Charge.

Former Act further continued for 21 Years.

And be it further enacted, That the said Act, and all and every the Tolls or Duties, Authorities, Powers, Privileges, Provisions, and Clauses therein contained, (except so much of the same are herein before altered) shall, together with this Act, be and continue in full Force, for and during all the Residue and Remainder of the said Term of Twenty one Years, now to come and unexpired, and from and after the Expiration thereof, then, for and during the further Term of Twenty one Years, and from thence to the End of the then next Session of Parliament, in as full and ample a Manner, as if the same were herein again repeated and re-enacted in the Body of this present Act; which said additional Term hereby granted, is hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing upon the Credit of the said Act, and of such other Sum or Sums of Money as shall be borrowed upon the Credit of the said Act and of this Act.

Limitation of Actions.

And be it further enacted, That if any Action or Actions, Suit or Suits, shall be brought against any Person or Persons for any thing done by virtue or in pursuance of the said recited Act or this Act, or in relation to any of the Matters therein or herein contained, such Actions and Suits, and every of them, shall be commenced within Six Months after the 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 and Things shall be respectively committed or done, and not in any other County or Place; and that the Defendant or Defendants in such Actions and

General Iſſue. Suits, and every of them, may plead the General Iſſue, and give the ſaid recited Act and this Act, and the Special Matter in Evidence, at 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 the ſaid recited Act and 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 for that Purpoſe 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 Nonſuit, 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 De-
Treble Coſts. fendants ſhall have Treble 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, 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. b

FINIS.