Anno quinto

Georgii III. Regis.

An Act for continuing and rendering more effectual, Two Acts passed in the Twelfth Year of King *George* the First, and the Twentieth of His late Majesty, for repairing the several Roads therein mentioned, in the Counties of *Essex* and *Suffolk*; and for repairing and widening several other Roads in the Counties of *Essex* and *Hertford*.



Whereas by Two Acts of Parliament passed in the Twelfth Year of the Reign of His late Majesty King George the First, and the Twentieth Year of the Reign of His late Majesty, several Tolls, Duties, and Powers, were granted and given to Trustees thereby appointed, for repairing the Roads leading from the Western Part of the Parish of Shenfield to Harwich, in the County of Essex, and the Road leading from Chelmesford, in the said County, to Sudbury, in the County of Suffolk; and from Margretting to Malden, in the County of Essex; and from Colchester to Langham, in the same County; and for repairing other Roads adjoining to the same Roads: And whereas the Monies which have arisen by virtue of the said Acts, have been duly applied towards repairing Preamble.

the said Roads, and such other Purposes as the Trustees appointed by the said Acts are impowered and directed to do, by which Means great Progress hath been made in amending the said Roads; but by reason of the many heavy Carriages, and the great Traffick used upon the same, the said Roads cannot be effectually amended and kept in Repair, unless the Terms of the said Acts be further continued, and the said Acts amended and rendered more effectual: And whereas the Road leading from the North End of the North Bridge in Colchester, to the present Turnpike Road in Ballington; and from the Forty ninth Mile Stone in Lexden, through Halsted, to the present Turnpike Road in Headingham Sible; and from the intended Turnpike Road through Halsted, to the Guide Post on the present Turnpike Road in Gosfield; and the Road leading from a Place called Highgarrett, in the Parish of Bocking, through the Town of Halsted, to the present Turnpike Road on Bulmer Tie; and from the Guide Post in Marks Tey, to the present Turnpike Road in Braintree; and the Road from the Turnpike Gate in Little Waltham, through the Parishes of Great Waltham, Barnston, Great Dunmow, Great Canfield, Little Canfield, Takely, Kings Hatfield, Stansted, Mountfitchet, Birchanger, and Great Hallingbury, in the said County of Essex, and Bishop Stortford, to the Crown Inn in Hockerill, in the County of Hertford; and the Road through the Parishes of Langham and Deadham, to Stratford Bridge; and the Road from Head Gate, by Saint Giles's Church, through Maudlin Street, to the Hithe Bridge in Colchester; and the Road leading from Malden to Braintree, through Heybridge, Wickham, Witham, Faulkburn, White and Black Notley; and the Road leading from the Guide Post near the West End of the Turnpike Road in Headingham Sible, to the Brick House, late Mistress Wharton's, at the East End of the Town of Haveril; and the Road from Margretting to Malden, through Great Baddow; and from the White Hart in Moulsham, to the Blacksmith's Shop, over against the Charity School in Baddow aforesaid, in the said County of Essex; are become very ruinous, and in the Winter Season so bad, that Carriages cannot pass through the same without great Danger, and the said Roads cannot be effectually amended, widened, and kept in Repair by the ordinary Course of Law; 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,

assembled, and by the Authority of the same, That the said recited Acts, and all and every the Clauses, Powers, Penalties, Forfeitures, Provisoes, Matters, and Things whatsoever, therein contained, shall be, and the same are hereby further continued from the Expiration thereof, and also of the additional Term granted by an Act made in the Twenty eighth Year of the Reign of his said late Majesty, intituled, An Act to amend an Act made in the Twenty sixth Year of the Reign of His present Majesty, intituled, *An Act for the Amendment and Preservation of the Publick Highways and Turnpike Roads of this Kingdom; and for the more effectual Execution of the Laws relating thereto*; for and during the further Term of Twenty one Years, and from thence to the End of the then next Session of Parliament; and shall, from and after the passing of this present Act, extend to, and be executed, as well for the Intents and Purposes in the said former Acts mentioned, as for repairing, amending, widening, and keeping in Repair, the said additional Roads herein before mentioned, and to and for all and every the Ends, Intents, Purposes, and Directions of this present Act, in as full and ample Manner, as if the same were herein again repeated and re-enacted in the Body of this present Act. Former Acts further continued for 21 Years.

And be it further enacted by the Authority aforesaid, That Sir John Griffin, Henry Spurling junior, George Aufrere, Blatch Whaley, Henry Spurling senior, Charles Hall D. D. Osgood Hanbury, Thomas Stubbing, Thomas Ashurst, Peter Muilman senior, Peter Muilman junior, John Elwes, George Gent, Thomas Pyke, John Piper M. D. Alexander Cornwal Clerk, Francis Lherondel Clerk, Charles Stuart Clerk, Edward Pemberton Clerk, Edmund Nugent, Thorpe Fowke, George Brooke, William Turnor, John Morley, John Little Bridge, James Marriott LL. D. James Broom Clerk, John Yeldham, John Houghton Clerk, Robert Younge, Clerk, Richard Clarke, Jonathan Lipyeatt Clerk, Edmund Massey Clerk, John Carr Clerk, John Erskine Clerk, George Elliott, Thomas Adams, Samuel Wheeley, William Field, Theophilus Hall, John Tweed, Martin Price, Joseph Driffield Clerk, Daniel Harvey, Samuel Ennew, Isaac Bevan, Jordan Harris Lisle, Thomas Wiltshire, Francis Freshfield, Philip Havens junior, James Thorn, Timothy Shorey, Jonathan Tabor junior, Bezaliel Blomfield, Samuel Jarrold, William Coe, Joseph Bird, William Bird, William Smart, Charles Malden, Jonas Malden, Joseph Pattisson, William Salisbury Clerk, Richard Hind D. D. Joseph Clapp Clerk, John May, Jacob Pattisson, Robert Pattisson, Trustees Names.

ſon, Henry Hance, Samuel Brickwood, John Croſſer, Edward Codd, William Raveil, Thomas Bayley, Gainsford Long junior, John Thomas, William Lawrence, John Quilter, William Bright, Thomas Buxton, Iſaac Buxton, John Buxton, Charles Buxton, James Bridge, William Goſlett, Anthony Lovebond Collins, John Saint Leger Douglas, Archibald Douglas, Stephen Thompſon, Barker Fines Wood, John Saville, Henry Fuller, John Harrington, Robert Young Surgeon, John Firmin, Gilbert Pond, John Swift, William Walford junior, Joſeph Reeve, Peter Du Cane, Samuel Carter, William Townſhend, John Abbot, John Godfrey, William Sandford, Robert Salmon, William Moſs, Jacob Unwin, Joſeph Gulliver Clerk, Richard Daniel, Thomas Shepherd, Henry Herring Clerk, Charles Onley Clerk, James Sparrow, Chriſtopher Wyvill Clerk, John Sparrow, John Cardel Clerk, Joſeph Nottage junior, Jacob Houblon ſenior, Jacob Houblon junior, Staines Chamberlain, James Wyatt of Canfield Hall, Richard Wilding Clerk, John Henniker, Thomas Bridge, Smeeth Rayner, Rayner Heckford, Beckford Cater, John Pinſent Clerk, Charles Walker Clerk, Richard Pipe, Thomas Adderley, John Pine, Richard Jephſon, Edward Walker, Joſiah Nottage junior, Thomas Nottage, Joſeph Reeve, John Maneſtre, Joſiah Nottage, Angel Silke Clerk, William Walford, John Engliſh, Henry Ray, Thomas Lipyeatte Clerk, William Barnard, John Nicholſon Clerk, Samuel Clarke, John Luther, Iſaac Whittington, Ralph Winter, Charles Phillips Clerk, Thomas Johns, James Hallet, John Brett Clerk, William Drake Clerk, William Drake junior Clerk, John Waſkett, Daniel Pierpoint, Michael Pepper, Robert Barnard, John Wyatt, John Hadley, James Vernon, Ranſford, John Cott Clerk, Henry Greene Clerk, Edward Cheſter Clerk, Thomas Hill, John Gates, Thomas Eley, William Griggs, James Smith, William Turner, Mathew Howland Pattrick, Valentine Munbey, Oſgood Hanbury, Thomas Bridge, John Yeldham, Philip Eyre Clerk, John Mill, John Pitkin, Robert Auſtin, John Barrington, Charles Dingley, William Robertſon, Samuel Feake, Francis Standley Clerk, John Emmerſon Clerk, John Mangey Clerk, Francis Barnard, John Clark, Lionel Lukin, Sir Robert Long Baronet, Sir Conyers Jocelyn Baronet, Alexander Duncan, John Tindall Clerk of Waltham, William Mills, William Heath, Daniel Clapton, William Nicholſon Clerk, Thomas Rayner Clerk, John Wilkinſon, John Barnard of Broxted, George Guyver, John Barnard of Dunmow, John Mills, James Wyatt of Dunmow, Sir Charles Smyth Baronet, Sir George Beaumont Baronet,

ronet, and Thomas Brand, shall, from and immediately after the passing of this present Act, be added to, and joined with the Trustees appointed, or to be appointed, to put the said former Acts in Execution; and that the said Trustees, or any Seven or more of them, shall and may erect One or more Gate or Gates, Turnpike or Turnpikes, at or upon any Part of the said additional Roads, or on the Sides thereof; or across any Lane or Way leading into the same; and take and receive such and the like Tolls or Duties, before any Horse, Cattle, or Carriage, be permitted to pass through the same, as by the said Act passed in the Twentieth Year of the Reign of his said late Majesty, they are impowered to take and receive on the Roads thereby directed to be repaired.

Qualification of Trustees.

Provided nevertheless, and be it further enacted by the Authority aforesaid, That no Person shall be capable of acting as a Trustee in any Case, in the Execution of the said former Acts, or of this Act, unless he shall be in his own Right, or in Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly value of Forty Pounds, above Reprizes; or possessed of a Personal Estate to the Amount of Eight hundred Pounds; and if any Person not being so qualified, shall presume to act contrary to the Intent and Meaning hereof, every such Person, shall, for every such Offence, forfeit the Sum of Fifty Pounds, to any Person or Persons who shall inform or sue for the same; to be recovered by Action of Debt, or on the Case, or by Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, wherein no Essoin, Protection, Wager of Law, or more than One Imparlance shall be allowed; and every Person so prosecuted, shall prove that he is qualified, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor, than that such Person hath acted as a Trustee in the Execution of the said former Acts, or of this Act.

Penalty on acting if not qualified.

Treasurer to give Security.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall, and they are hereby required to take such Security from their Treasurer or Treasurers, as the said Trustees, or any Seven or more of them, shall think fit.

Victualler not to hold a Place of Profit.

And be it further enacted by the Authority aforesaid, That no Victualler, or Retailer of Ale, Beer, or Spirituous Liquors, shall be capable of being a Trustee, or of holding any Place of Profit under this Act.

And

Application of the Monies.

And be it further enacted by the Authority aforesaid, That all Monies that shall be raised by virtue of this Act, upon or account of the said additional Roads, or any of them, shall be laid out and applied for and towards amending the said additional Roads only, in such Manner as the said Trustees, or any Seven or more of them, shall from time to time order and direct, and to no other Use or Purpose whatsoever; any thing in the said former Acts or this present Act contained to the contrary notwithstanding.

Trustees, may lessen the Tolls.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Trustees, or any Seven or more of them, from time to time, to lessen and reduce the Tolls granted by the said former Acts, or any Part thereof, for such Time and Times as the said Trustees, or any Seven or more of them, shall think proper; and such Tolls so lessened shall be collected, recovered and applied, in the same Manner as the Tolls granted by the said former Acts are directed to be collected, recovered, and applied.

Tolls to be paid but once a Day.

Provided always, and be it further enacted by the Authority aforesaid, That no Person or Persons shall be liable to pay Toll more than once for passing or repassing, at any Time or Times, in any One Day (to be computed from Twelve of the Clock at Night, to Twelve of the Clock in the succeeding Night) with the same Cattle and Carriage, through all or any the Gates or Turnpikes erected or to be erected, upon, near, or on the Sides of any of the said Roads, by the said former Acts directed to be repaired, or cross any Lane or Way leading into the same; nor more than once in any One Day, to be computed as aforesaid, for passing or repassing with the same Cattle and Carriage, through all or any of the Gates or Turnpikes to be erected upon, near, or on the Sides of any of the said additional Roads, by this present Act directed to be repaired, or cross any Lane or Way leading into the same; but that all and every Person or Persons, after having paid Toll once, as aforesaid, shall, during the Remainder of such Day, pass Toll-free, with the same Cattle and Carriage through the Gate or Turnpike at which any such Toll was paid; and also through all other Gates or Turnpikes upon the said respective Roads, upon producing a Note or Ticket denoting the Payment of such Toll; which Notes or Tickets the Collectors of the said Tolls are hereby required to give gratis on Receipt of the Toll.

And

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, may, and they are hereby impowered, from time to time, as they shall see convenient, to compound and agree for any Term not exceeding One Year, at any One Time, with any Person or Persons, inhabiting or residing within Three Miles of any Turnpike or Turnpikes erected or to be erected by virtue of the said former Acts, or this present Act, for passing of their Carriages and Cattle through all or any of the said Turnpikes, which Composition-money shall be paid half-yearly in advance; and in Default, the Composition or Agreement with the Person or Persons making such Default, shall from thenceforth be void; and all such Composition-monies shall be applied in such Manner as the Tolls are directed to be applied, by the said former Acts, and this present Act. Trustees may compound with Travellers.

Provided nevertheless, That this Act shall not authorize the taking any Composition for or in respect of Horses, Cattle, Beasts, or Carriages, travelling for Hire. Prov so.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the Surveyor or Surveyors, appointed or to be appointed by virtue of the said former Acts, or of this present Act, and such Person or Persons as he or they shall appoint (such Surveyor or Surveyors having an Order for that Purpose from the said Trustees, or any Seven or more of them) to make Causeways, and also Ditches or Drains in and upon the said Roads, and also through any Grounds lying contiguous thereto; and also to widen any of the narrow Parts of the said Roads, by opening, clearing, and laying into the same, any Grounds of any Person or Persons lying contiguous thereto; and also to make a Road through the Grounds adjoining, or lying near to any narrow or ruinous Part of the said Roads (such Grounds respectively not being the Ground whereon any House stands, or a Yard, Garden, Orchard, Park, Paddock, planted Walk or Avenue to any House, or any inclosed Grounds planted and set apart as a Nursery for Trees) to be made use of as a Publick Highway, whilst the old Road is repairing or widening; and also by the Order of any Seven or more of the said Trustees, to build, erect, repair, and keep in Repair, any Bridge or Bridges, Arch or Arches, upon any Part or Parts of the said Roads, and cross any Stream, Brook, Water, Ditch, or Drain, therein or contiguous thereto; making such Recompence to the Owners and Occupiers of the Grounds Surveyors may make Causeways, &c.

respectively, for the Damages they shall or may thereby sustain, as shall be judged reasonable by the said Trustees, or any Seven or more of them.

Trustees may contract for the Purchase of Lands to be taken into the Road.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall be and are hereby impowered to divert, turn, or alter the Course or Path of any Part or Parts of the said Roads through any Grounds or Hereditaments, first making Satisfaction to the Owners thereof, and Persons interested therein, for the Damages they may thereby sustain: And for that Purpose it shall be lawful for the said Trustees, or any Seven or more of them, to contract and agree with the Owners of, and Persons interested in, any Lands or Hereditaments for the Purchase thereof, or for the Loss or Damage such Owners or Persons may sustain by the diverting, turning, or altering the Course or Path of any Part or Parts of such Roads through such Lands or Hereditaments: And it shall be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, and Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femes Covert, or other Person or Persons whatsoever, and to and for all Femes Covert who are or shall be seised or interested in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be possessed of, or interested in, any such Lands or Hereditaments, to contract with the said Trustees, or any Seven or more of them, for the Satisfaction to be made for such Damages as aforesaid, or to sell and convey unto them, or any Seven or more of them, all or any of such Lands or Hereditaments, or any Part thereof, for the Purposes aforesaid; and all Contracts, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Usage, or other Matter whatsoever to the contrary notwithstanding: And all such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue of this Act: And if any such Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, or any

Bodies Politick, &c. to contract for the Sale of such Lands.

Persons, &c. neglecting to treat,

other

other Person or Persons interested in any such Lands or Hereditaments, upon Notice to him, her, or them given, or left in Writing at the Dwelling-house or Houses, or Place or Places of Abode, of such Person or Persons, or of the Principal Officer or Officers of any such Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, or at the House of the Tenant in Possession of the Lands or Hereditaments through which any Part of such Roads are intended to be diverted, turned, or altered, shall, for the Space of Three Months next after such Notice given or left, neglect or refuse to treat, or shall not agree in the Premisses, or, by reason of Absence, shall be prevented from treating; then, and in every such Case, the said Trustees, or any Seven or more of them, shall cause such Damage and Recompence to be enquired into and ascertained by a Jury of Twelve indifferent Men of the County wherein such Lands or Hereditaments do lie: And in order thereto, the said Trustees, or any Seven or more of them, are hereby impowered and required, from time to time, as Occasion shall require, to summon and call before such Jury, and examine upon Oath, all and every such Person and Persons whomsoever, who shall be thought necessary or proper to be examined concerning the Premisses (which Oath any Two or more of the said Trustees are hereby impowered to administer) and such Trustees, or any Seven or more of them, shall, by ordering a View, or otherwise, use all lawful Ways and Means, as well for their own as the said Jury's Information in the Premisses; and after the said Jury shall have inquired of and assessed such Damage and Recompence, they the said Trustees, or any Seven or more of them, shall thereupon order, adjudge, and determine, the Sum or Sums of Money, so assessed by the said Jury, to be paid to the said Owners and other Persons interested in the said Lands or Hereditaments, according to the Verdict or Inquisition of such Jury; which said Verdict or Inquisition, and Judgement, Order, or Determination thereupon, shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever, claiming, or to claim, in Possession, Reversion, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes Covert, Lunaticks, Ideots, and Persons under any other Disability whatsoever, Bodies Politick, Corporate, and Collegiate, Corporations Aggregate or Sole, as well as all other Person or Persons whomsoever: And, for summoning and return-

Jury to sett'e the Damage and Recompence.

Verdict of the Jury to be final.

returning such Juries, the said Trustees, or any Five or more of them, are hereby impowered to issue their Warrant or Warrants to the Sheriff of the County wherein such Lands or Hereditaments do lie, commanding him to impanel, summon, and return, an indifferent Jury of Twenty four Persons, to appear before the said Trustees, or any Seven or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed; and such Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, summon, and return such Number of Persons accordingly; and such Sheriff or his Deputy is hereby required to attend at the Time and Place to be appointed as aforesaid, and such Sheriff or his Deputy shall be allowed the Sum of Two Guineas, and no more for such Attendance: And out of the Persons so summoned, impanelled, and returned, or out of such of them as shall appear upon such Summons, the said Trustees, or any Two or more of them, shall, and they are hereby impowered and required to swear, or cause to be sworn, Twelve Men, who shall be the Jury for the Purposes aforesaid: And, in Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn: And the said Trustees, or any Seven or more of them, acting in the Premisses, shall have Power, from time to time, to impose any reasonable Fine or Fines upon any of the Persons that shall be summoned and returned on such Jury, and shall not appear, or that shall refuse to be sworn on the said Jury; or, being so sworn, shall refuse to give, or not giving, their Verdict, or in any other Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who, being required to give Evidence before the said Jury, shall refuse or neglect to appear, or, appearing, shall refuse to be examined, or to give Evidence; and which Fine or Fines shall be levied and applied in such Manner as the Penalties and Forfeitures are by the said former Acts directed to be levied and applied; so that no such Fine be more than Five Pounds, nor less than Twenty Shillings, upon any One Person for One Offence.

Jurors may be challenged.

Trustees may impose a Fine on Sheriff, &c. making Default.

Fine not to exceed 5 l.

And be it further enacted by the Authority aforesaid, That every Sum of Money or Recompence to be agreed for,

for or assessed as aforesaid, shall be paid out of the Tolls arising by virtue of the said former Acts, or of this Act, or out of the Monies borrowed on the Credit thereof, to the Parties or Persons respectively intitled to such Monies, or to their Agents; and upon Payment thereof, or in case of Refusal to accept the same, upon leaving the same in the Hands of the Clerk to the said Trustees for the Use of such Parties or Persons, it shall be lawful for any Person or Persons authorized by Writing under the Hands of the said Trustees, or any Seven or more of them, to divert or turn such Roads through such Lands or Hereditaments, and to do all and every such Act, Matter, or Thing, with relation to such Lands or Hereditaments, as the said Trustees, or any Seven or more of them, shall think fit; and all Lands and Hereditaments which shall be made a Part or Parts of the said Roads by virtue of this Act, shall be for ever thereafter to all Intents and Purposes a common Highway, and shall be repaired and kept in Repair in such Manner as the Roads directed by the said former Acts and this present Act to be repaired are by this or any other Law to be amended; and from thenceforth all Parties and Persons whatsoever shall be divested of all Right and Title to such Lands and Hereditaments; and after any such new Road shall be completed, the Lands constituting the former Roads, unless leading to some Village, Town, or Place to which such new Roads doth not lead, shall be vested in, and shall and may be sold and conveyed by, the said Trustees, or any Seven or more of them, for the best Price that can be gotten for the same; and the Money arising by such Sale shall be applied to the Repair of the Roads directed by the said former Acts, and this present Act, to be repaired.

Money allowed for Lands, &c. how to be charged and tendered.

Lands, &c. purchased to be laid into the Roads,

and esteemed a publick Highway,

and kept in Repair as such.

Old Roads may be sold.

Provided always, That nothing herein contained shall extend, or be construed to extend, to the taking down any Dwelling-house or other Building, or to take in any Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to any House, without the Consent of the Owner or Proprietor thereof; any thing herein contained to the contrary notwithstanding.

Buildings, &c. not to be injured.

Provided also, That no Person shall act as a Trustee in any Case relating to the contracting for or purchasing of any Lands or Hereditaments wherein he shall be particularly concerned or interested.

Trustees not to act where interested.

And be it further enacted by the Authority aforesaid, That all the Costs, Charges, and Expences attending the obtaining and passing this present Act, shall be paid

Charges of passing this Act to be paid out of the Tolls.

and discharged out of the Money collected or to be collected or borrowed by virtue of the said former Acts.

Time and Place of Trustees Meeting.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall meet, for the first Time, to proceed to the Execution of this Act, at The Angel Inn in Kelvedon, on that Day Month next after the passing of this Act, and adjourn themselves, and shall afterwards meet there, or at any other Place, in or upon the said additional Roads, as the said Trustees, or any Seven or more of them, shall think convenient, so as that the Meetings of the said Trustees be held in such Manner as is directed by the said Act of the Twentieth Year of the Reign of his said late Majesty, with respect to the Roads thereby directed to be repaired.

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 or to be done in pursuance of the said former Acts, and of this Act, every such Action or Suit shall be brought within Six Months next after the Fact committed, and not afterwards; and shall be laid and brought in the County or Place where the Cause of Action shall arise, and not elsewhere; and the Defendant and Defendants in such

General Issue.

Action or Suit shall and may plead the General Issue, and give the said former Acts, and this Act, and the Special Matter, in Evidence at any Trial to be had thereupon, and that the same was done in pursuance of, and by the Authority of, the said former Acts, or this present Act; and if the same shall appear so to be done, or if such Action or Suit shall be brought 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 such Verdict, or if the Plaintiff or Plaintiffs shall become Nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared; or if upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the De-

Treble Costs.

fendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in any other Case by Law.

Publick Act.

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

FINIS.