Anno ſeptimo

Georgii III. Regis.

An Act for enlarging the Term and Powers granted by an Act paſſed in the Twenty ſecond Year of His late Majeſty King *George* the Second, for opening and making a new Road from the Eaſt End of *New Street*, in the Pariſh of *Saint John, Southwark*, to and through the ſeveral Places therein mentioned; and for keeping the ſaid Road in Repair for the future; and for repairing ſeveral other Roads adjoining thereto.

WHEREAS an Act paſſed in the Twenty ſecond Year of the Reign of His late Majeſty King George the Second, intituled, An Act for opening and making a new Road from the Eaſt End of *New Street*, in the Pariſh of *Saint John, Southwark*, to and through the ſeveral Places therein mentioned, and for keeping the ſaid Road in Repair for the future, was made to have Continuance only from the Firſt Day of June, One thouſand ſeven hundred and forty nine, for and during the Term of Twenty one Years: And whereas the Truſtees appointed by the ſaid Act, have, by the Ways and Means in and by the ſaid Act mentioned, opened and made a new Road, purſuant to the Directions of the ſaid Act; Preamble, reciting Act 22 *Geo.* II.

and, upon the Credit thereof, have borrowed a conſiderable Sum of Money, which, together with the Tolls and Duties thereby collected, have been laid out and expended in making and keeping in Repair the ſaid Road; nevertheleſs the ſaid Road cannot be effectually kept in Repair and amended according to the true Intent and Meaning of the ſaid Act, and the Monies advanced on the Credit thereof be repaid, unleſs the Term thereby granted be enlarged, and the ſaid Act made more effectual: And whereas the Road leading from the Grange Road, in the Pariſh of Saint Mary Magdalen, Bermondſey, in the County of Surry, along a Place called Cut Throat Lane, into the new Road herein before-mentioned, being about the Space of Three Furlongs and Twenty five Perches in Length; and alſo the Road leading from Cut Throat Lane aforeſaid, along a Way called The Neckenger, to Eaſt Lane in Bermondſey aforeſaid, being about the Space of Three Furlongs and Twenty one Perches in Length; and alſo the Road leading from the Grange Road, through Blue Anchor Lane, to the Turnpike now erected near Millpond Bridge, in Rotherhithe, being about the Space of One Mile, One Furlong, and Eight Perches in Length; and alſo the Road leading from a Houſe called The Europa, to Church Street, in Rotherhithe, being about the Space of Eighteen Perches in Length; and alſo the Road leading from The Black Horſe in Howland Street, to Trinity Street in Rotherhithe, being about the Space of One Furlong and Fourteen Perches in Length; and alſo the Road leading from the new Road before-mentioned, along a Lane called The White Walk, to Greenland Dock, in Rotherhithe aforeſaid, being about the Space of Thirty four Perches in Length (which ſaid laſt-mentioned Roads join the Road directed to be made by the ſaid recited Act) are, by reaſon of many heavy Carriages frequently paſſing through the ſame, in a very bad and ruinous State, ſo that it is dangerous for Paſſengers, Horſes, Cattle, and Carriages to paſs through many Parts thereof in the Winter Seaſon, and cannot be ſufficiently repaired and amended by the ordinary Courſe of Law: Now, to the End that the ſaid Road directed to be opened and made by the ſaid recited Act may be kept in good State and Condition, and the Money due and owing upon the Credit of the ſaid Act repaid, and alſo that the ſaid additional Roads herein before deſcribed to be out of Repair, may be effectually repaired and amended; May it 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 ſaid recited Act, and the Tolls and Duties by the ſaid Act granted and made payable, and all and every Article, Rule, Clauſe, Matter, and Thing, therein expreſſed (except ſuch Clauſes as are hereby explained, altered, or amended) and all and every the Powers, Privileges, Directions, Authorities, Penalties, Forfeitures, Clauſes, Matters, and Things, therein contained, for making and keeping the ſaid Road in Repair, and for levying collecting, ſecuring of, and accounting for, the Tolls and Duties by the ſaid Act granted, and for borrowing of Money thereupon, and for letting the ſaid Tolls and Duties to Farm, and for putting the ſaid Act in Execution, ſhall continue and be in Force, and be exerciſed and executed, from and after the Expiration of the aforeſaid Term of Twenty one Years by the ſaid former Act granted, for and during the further Term of Twenty one Years from thence next enſuing, and from thence to the End of the then next Seſſion of Parliament; ſubject to the Alterations herein after-mentioned and contained, as well for keeping in Repair the ſaid Road directed by the ſaid former Act to be made and repaired, as for repairing and amending the additional Roads herein before deſcribed as aforeſaid.

The ſeveral Powers and Intentions of the recited Act, where not altered by this Act, further continued for the additional Term of 21 Years.

Provided nevertheleſs, and it is hereby declared, That if at any Time before the Expiration of the ſaid further Term of Twenty one Years, all the ſaid Roads ſhall be ſufficiently repaired and amended, and ſo adjudged by the Juſtices of the Peace for the Counties of Surry and Kent reſpectively, within their reſpective Juriſdictions, at their General Quarter Seſſions of the Peace to be holden for the ſaid Counties reſpectively, then, from and immediately after ſuch Adjudication ſhall be made, and Re-payment of all ſuch Money as ſhall have been borrowed upon the Credit of the ſaid Tolls, Duties, or yearly Payments, granted by the ſaid former or this preſent Act, with Intereſt for the ſame, and the Coſts and Charges thereof, the ſaid Tolls, Duties, and yearly Payments, ſhall ceaſe and determine; any thing herein contained to the contrary notwithſtanding.

If before the Expiration of the Term the Roads ſhall be adjudged to be ſufficiently repaired, &c. Tolls to ceaſe.

And be it further enacted by the Authority aforeſaid, That in caſe the Truſtees appointed, or to be appointed, by virtue of the ſaid former Act, or of this preſent Act, or any Nine or more of them, ſhall think proper to widen, turn, divert, or alter, any Part or Parts of the

Truſtees may contract for the Purchaſe of Lands to be laid into the Roads.

Road directed to be made by the ſaid former Act, or the additional Roads herein before deſcribed, in order to make or lay out the ſame in ſtrait Lines, or to open any Communication or Paſſage between the High Street adjoining to the River Thames, in the Pariſhes of Saint Mary Magdalen, Bermondſey, and Saint Mary, Rotherhithe, and any Part or Parts of the ſaid Roads, they the ſaid Truſtees, or any Nine or more of them, ſhall have full Power and Authority, from time to time, to contract and agree with any Owners, Occupiers of, and Perſons intereſted in, any Lands, Grounds, Buildings, Tenements, or Hereditaments, lying contiguous or near to any Part of the ſaid Roads, for the Purchaſe thereof, or for any Loſs or Damage they may ſuſtain by ſuch widening, turning, diverting, altering, or opening, of any Part or Parts of ſuch Roads; and out of the Tolls or Duties by this Act, or the ſaid recited Act, granted, or out of any Money to be borrowed on the Credit thereof, to pay for ſuch Lands, Grounds, Buildings, Tenements, or Hereditaments, and for ſuch Loſs or Damage as aforeſaid, any Sum or Sums of Money as ſhall be agreed upon between ſuch Owners, Occupiers, or Perſons intereſted, as aforeſaid, and the ſaid Truſtees, or any Nine or more of them, and alſo the Coſts and Charges attending ſuch Agreement and Purchaſe: And it ſhall be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, and other Truſtees whatſoever, for or on Behalf of themſelves, their Heirs and Succeſſors, and alſo for any Infants, Femes Covert, or Ceſtuique Truſts, and for all Femes Covert, who are or ſhall be ſeiſed in their own Right, and for all other Perſons whatſoever, to contract and agree with ſuch Truſtees, or any Nine or more of them, for ſuch Purchaſe or Recompence as aforeſaid: and all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made, ſhall be valid and effectual to all Intents and Purpoſes whatſoever; and all ſuch Perſons are and ſhall be hereby indemnified for what they ſhall do by virtue or in purſuance of this Act.

Bodies Politick, *&c.* impowered to treat.

And it is hereby further enacted, That if any Owner, Occupier of, or Perſon intereſted as aforeſaid, in any ſuch Lands, Grounds, Tenements, or Hereditaments, (except Dwellings or Gardens) or any of them reſpectively, or who may ſuſtain any Loſs or Damage by the widening, turning, diverting, altering, or opening, of any Part or Parts of ſuch Roads, ſhall refuſe to treat and agree for the Sale of the ſame, or for any Loſs or Damage

Perſons neglecting to treat for the Sale of Lands;

Damage ſuſtained by the Means aforeſaid; then it ſhall and may be lawful to and for the Juſtices of the Peace of the Counties of Surry and Kent reſpectively, or any Two or more of them, and they are hereby authorized, impowered, and required, at the Requeſt of the ſaid Truſtees and their Succeſſors, or any Nine or more of them, to impanel a Jury before them the ſaid Juſtices, conſiſting of Perſons in the ſaid Counties of Surry and Kent reſpectively; which ſaid Jury upon their Oaths, to be adminiſtered by the ſaid Juſtices, and who are hereby impowered and required to adminiſter ſuch Oaths accordingly, ſhall aſſeſs ſuch Recompence to be made to the ſaid Owners or Occupiers for their reſpective Eſtates and Intereſts in the ſaid Lands, Grounds, Tenements, and Hereditaments, ſo to be purchaſed in purſuance of, and for the ſeveral Purpoſes in, this Act mentioned, as they the ſaid Jury ſhall think reaſonable: And alſo ſuch Recompence and Satisfaction to any other Perſon or Perſons who may ſuſtain any Loſs or Damage thereby, as the ſaid Jury ſhall think reaſonable; and upon Payment of the Money ſo to be awarded or aſſeſſed, or leaving the ſame in the Hands of the Clerk of the Peace for the County in which ſuch Jury ſhall be impanelled, for the Uſe of the ſeveral Perſons to whom the ſame ſhall be awarded; that then, and from thenceforth, the Intereſt of the ſaid ſeveral Perſons in the ſaid Lands, Grounds, Tenements, and Hereditaments, ſhall be for ever veſted in the ſaid Truſtees, upon Truſt, and to the Intent that the ſaid Lands and Grounds ſhall be made uſe of as and for the ſaid Road. Jury to ſettle the Recompence.

And it is hereby further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, and their Succeſſors, or any Nine or more of them, and their Surveyors, Agents, Nominees, Workmen, and Servants, in that Behalf to be appointed, to cauſe any Buildings, Erections, or Tenements, ſo to be purchaſed by virtue of and for the Purpoſes of this Act, to be pulled down, and to ſell or diſpoſe of the Materials thereof, and to apply the Monies ariſing thereby or therefrom in the Repair and Amendment of the ſaid Roads; and this Act ſhall be ſufficient to indemnify as well the ſaid Truſtees, as alſo their Agents or Nominees, and all Perſons employed or authorized by them as aforeſaid, againſt the Owners or Occupiers of ſuch Lands, Grounds, Buildings, Erections, and Tenements, their Heirs, Executors, Adminiſtrators, and Aſſigns reſpectively, and all Perſons claiming under them or any of them. Old Materials may be ſold.

Old Road may be ſold.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, and their Succeſſors, or any Nine or more of them, at any General Meeting to be held in purſuance or by virtue of the ſaid former or this preſent Act, from time to time, to ſell and convey unto any Perſon or Perſons who ſhall be the beſt Bidder or Bidders for the ſame, any Piece or Parcel of Land or Ground, being Part of the Road directed to be made by the ſaid former Act, or of the additional Roads herein before deſcribed, which ſhall at any Time be diſcontinued, or ceaſe to be uſed as a Part of the ſaid Road or Roads, by Means or Occaſion of the ſaid Road or Roads being turned, diverted, or altered, by the ſaid Truſtees as aforeſaid; and to apply the Monies ariſing from ſuch Sale or Sales, in the Repair and Amendment of the Roads hereby and by the ſaid former Act directed to be repaired and amended.

Truſtees to erect additional Turnpikes,

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees and their Succeſſors, or any Nine or more of them, or ſuch Perſon or Perſons as they, or any Nine or more of them, ſhall direct or appoint, ſhall and may, and they are hereby authorized and impowered, immediately after the paſſing of this preſent Act, to erect and ſet up One Gate or Turnpike in, upon, or croſs, the ſaid Road, at the Weſt End of Cut Throat Lane, contiguous to the Grange Road in Bermondſey aforeſaid; and alſo another Gate or Turnpike at the North End of Blue Anchor Lane, adjoining to the Grange Road aforeſaid; and alſo any other Gate or Gates, Bar or Bars, Turnpike or Turnpikes, in, upon, or croſs, or on the Side or Sides of any Part or Parts of the ſaid additional Roads herein before deſcribed, or any of them; and to demand, receive, and take, before any Horſe, Mare, Mule, Aſs, Cattle, Coach, Berlin, Landau, Chariot, Calaſh, Chaiſe, Chair, Waggon, Wain, Cart, or other Carriage, ſhall be permitted to paſs through the ſaid Gate or Gates, Turnpike or Turnpikes, the ſeveral Tolls and Duties in and by the ſaid former Act directed to be received and taken at any Gate or Gates, Turnpike or Turnpikes, erected or to be erected by virtue thereof; and the ſaid Tolls and Duties ſo to be taken and collected by virtue of this Act, ſhall be, and the ſame are hereby veſted in the ſaid Truſtees and their Succeſſors; and the ſame, and every Part thereof, ſhall be paid, applied, and diſpoſed of, or aſſigned to and for the making, repairing, and amending,

and take the former Tolls thereat.

Tolls veſted in Truſtees.

ing, the ſaid Roads directed by this and the ſaid former Act to be made, repaired, and amended.

No Turnpike to be erected between the Eaſt End of *New Street* and the Halfpenny Hatch.

Provided always, and it is hereby enacted, That during the Continuance of the ſaid former Act, or of this preſent Act, no Turnpike ſhall be erected or ſet up, in, upon, croſs, or on the Side of any Part of the ſaid Road directed to be made by the ſaid former Act, or of the ſaid additional Roads herein before deſcribed, between the Eaſt End of New Street, in the Pariſh of Saint John, Southwark, and the Turnpike now erected at or near a Place called The Halfpenny Hatch, in the Pariſh of Saint Mary Magdalen Bermondſey aforeſaid; any thing in the ſaid former Act, or this preſent Act, to the contrary notwithſtanding.

Former Compoſitions with *Bermondſey* and *Rotherhithe* repealed.

And whereas it is enacted by the ſaid former Act, That for and in lieu of the Statute-work to be performed upon the ſaid new Road, by the Inhabitants of the ſeveral Pariſhes of Saint Mary Magdalen Bermondſey, and Saint Mary Rotherhithe, the reſpective Surveyors for the time being of the Highways of the ſaid ſeveral Pariſhes, ſhould yearly, and every Year, during the Continuance of the ſaid Act, pay to the Truſtees, or their Treaſurer or Treaſurers for the time being, the reſpective Sums following; that is to ſay, For the ſaid Pariſh of Saint Mary Magdalen Bermondſey, the Sum of Ten Pounds, and for the ſaid Pariſh of Saint Mary Rotherhithe, the Sum of One hundred Pounds: Now it is hereby enacted, That from and after the Twenty-fifth Day of March, One thouſand ſeven hundred and ſixty ſeven, the ſaid annual Payments of Ten Pounds, and One hundred Pounds, ſhall ceaſe and be diſcontinued; and that for and in lieu of the Statute-work to be performed upon the ſaid new Road, and the additional Roads herein deſcribed, from that Time, by the Inhabitants of the ſaid ſeveral Pariſhes of Saint Mary Magdalen Bermondſey, and Saint Mary Rotherhithe, the reſpective Surveyors for the time being of the Highways of the ſaid ſeveral Pariſhes, ſhall yearly, and every Year, during the Continuance of the ſaid former Act, and alſo of this preſent Act, pay to the Truſtees appointed or to be appointed by virtue of the ſaid Acts, or their Treaſurer or Treaſurers for the time being, the reſpective Sums following; that is to ſay, For the ſaid Pariſh of Saint Mary Magdalen Bermondſey, the Sum of Ninety Pounds, and for the ſaid Pariſh of Saint Mary Rotherhithe, the Sum of One hundred and Ten Pounds, by Four equal Quarterly Payments in each Year; the Firſt Payment of which ſaid reſpective Sums, ſhall be

New Compoſitions.

made by the Surveyors of the ſaid ſeveral Pariſhes on the Twenty fourth Day of June, in the Year One thouſand ſeven hundred and ſixty ſeven; and the ſaid yearly reſpective Sums of Ninety Pounds, and One hundred and Ten Pounds, are hereby veſted in the ſaid Truſtees, to be applied and diſpoſed of for the Purpoſes of the ſaid former Act, and this preſent Act; and ſhall be in Lieu and Satisfaction of all the Statute-labour which the Inhabitants and Landholders of the ſaid ſeveral Pariſhes ſhall be liable to perform upon the ſaid new Road, and the ſaid additional Roads herein before deſcribed and directed by the ſaid former Act, and this preſent Act, to be made and repaired: And if any of the ſaid Surveyors ſhall neglect or refuſe to pay the ſaid reſpective Sums of Ninety Pounds, and One hundred and Ten Pounds, or any Part thereof, as aforeſaid, within Fourteen Days after the ſame ſhall reſpectively become due; every ſuch Surveyor ſhall, for every ſuch Neglect or Refuſal, forfeit and pay to the ſaid Truſtees, over and above the Sum then due, a Sum equal to that which ſhall be ſo due and unpaid; and the ſaid Forfeiture, and alſo the Sum ſo remaining unpaid, ſhall and may be levied and recovered in the ſame Manner, as the Forfeitures and Penalties inflicted by the ſaid former Act are directed to be levied and recovered; and ſhall be applied to and for the Purpoſes of the ſaid former Act, and of this preſent Act, and to or for no other Uſe or Purpoſe whatſoever.

Surveyors, for Nonpayment, to forfeit double the Sum.

Provided always, That the ſaid Quarterly Sums ſo to be paid by, or levied upon, the ſaid Surveyors, ſhall be reſpectively reimburſed to ſuch Surveyors, in the ſame Manner as, by the Laws now in being, Surveyors of the Highways within this Kingdom are to be reimburſed the Monies by them expended in buying Materials for amending the Highways.

Surveyors to be reimburſed.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever, owning, renting, or occupying, any Land or Ground near unto any Turnpike now erected, or hereafter to be erected, in purſuance of this or the former Act, ſhall permit or ſuffer any Perſon or Perſons whatſoever, to paſs through his, her, or their Ground, Yard, or any Gate, Paſſage, Way, or other Place, with any Coach, Chaiſe, Chariot, Calaſh, Waggon, Wain, Cart, Dray, Carriage, Horſe, Aſs, Mule, or any Sort of Cattle, whereby the Payment of the Toll appointed by this or the ſaid former Act to be taken and collected, is or ſhall be avoided; every ſuch Perſon ſo offending, and being thereof con-

Penalty on permitting private Paſſage, &c.

victed upon Oath, before any One or more Juſtice or Juſtices of the Peace of the County where ſuch Offence ſhall be committed, ſhall, for every ſuch Offence, forfeit and pay to the ſaid Truſtees the Sum of Forty Shillings; to be levied by Diſtreſs and Sale of the Offender's Goods or Chattles, by Warrant under the Hand and Seal, or Hands and Seals, of the ſaid Juſtice or Juſtices of the Peace, rendering the Overplus (if any be) to the Owner.

Perſons aggrieved may appeal to the Quarter Seſſions.

Provided, That if any Perſon or Perſons find him or themſelves aggrieved, at or by any Judgement or Adjudication of the ſaid Truſtees, or of any Juſtice or Juſtices of the Peace, for any Matter or Thing done in purſuance of this Act, or of the ſaid former Act, he, ſhe, or they, may appeal to the next General Quarter Seſſions of the Peace to be holden for the ſaid Counties of Surry and Kent reſpectively, in which the ſaid Matter of Complaint ſhall ariſe; and the Juſtices, at ſuch Quarter Seſſions, are hereby impowered and required to hear and determine the ſame Appeal, and if they ſee Cauſe, ſhall and may, by Order of ſuch Seſſions, mitigate at their Diſcretion all or any of the Penalties impoſed or incurred by the ſaid former, or this preſent Act, and vacate or ſet aſide the ſaid Judgement or Adjudication; but ſuch Perſon or Perſons, ſo appealing, ſhall give Ten Days Notice in Writing of ſuch his, her, or their Intention, to the Clerk to the ſaid Truſtees, and within Five Days after enter into a Recognizance before One Juſtice, with Two ſufficient Sureties, to try ſuch Appeal at the next Quarter Seſſions, which ſhall be there heard and finally determined; and the ſaid Juſtices, at ſuch Quarter Seſſions, are hereby alſo impowered to direct ſuch Coſts to be paid by either of the ſaid Parties to the other of them, as they ſhall think fit; and no Judgement, Adjudication, or Conviction, ſhall be quaſhed or vacated for want of Form only; nor ſhall any Order or other Proceedings to be made or had, touching the Conviction of any Offenders againſt the ſaid former or this preſent Act, be removed or removable by Certiorari, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at Weſtminſter.

Recognizance to be entered into.

Charges of paſſing this Act to be paid by the Treaſurer,

And be it further enacted by the Authority aforeſaid, That all Coſts and Charges expended and laid out in or by reaſon of paſſing this preſent Act of Parliament, ſhall, within One Month after the ſame ſhall be paſſed into a Law, be paid and diſcharged by the Treaſurer to the Truſtees for making and repairing the ſaid Roads, out of the Money then in his Hands, or out of the Money

ney to be collected or borrowed by virtue of the ſaid former Act, or this preſent Act.

and Money due on the former Act, &c.

And be it further enacted, That all Money lent or due upon the Credit of the ſaid former Act, or for any Materials delivered or taken, or Work done purſuant to the ſame Act, or otherwiſe due upon account, or which hereafter ſhall become due upon account, or by reaſon of putting the ſaid former Act, or this preſent Act, in Execution, ſhall, as ſoon as may be, after Payment of the Coſts and Charges of paſſing this preſent Act of Parliament, be paid out of the Money collected or to be collected or borrowed by virtue of the ſaid former Act, or this preſent Act.

Commencement and Continuance of the Tolls.

And be it further enacted by the Authority aforeſaid, That the Tolls and Duties granted and made payable by this preſent Act, and all the Powers, Directions, and Authorities hereby given and provided, ſhall commence, and take place and effect, from and immediately after the paſſing of this preſent Act, and ſhall be in Force for and during the Remainder of the Term of Twenty one Years, in and by the ſaid former Act granted, and therein to come and unexpired; and from and after the Expiration thereof, ſhall continue and be exerciſed and executed for and during the Term of Twenty one Years from thence next enſuing.

Nothing to be done which may prejudice the Tolls granted by Act 6 *Geo.* III.

Provided always, and be it further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to impower the ſaid Truſtees, or their Succeſſors, to turn, divert, or alter, any Part or Parts of the ſaid Roads, or to open any Way or Paſſage which may prejudice, leſſen, or in any wiſe diminiſh any of the Tolls granted by an Act paſſed in the Sixth Year of his preſent Majeſty, intituled, An Act for paving the *High Street* and *Kent Street*, in the Borough of *Southwark*, and for cleanſing, lighting, and watching the ſame, and alſo certain Courts, Yards, and other Places, adjoining thereto; and for preventing Annoyances in the ſaid Streets.

Truſtees, with Conſent of Creditors, may leſſen the Tolls.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Nine or more of them, at a General Meeting to be held for that Purpoſe, whereof Notice ſhall be given at leaſt Ten Days before ſuch Meeting, from time to time, to leſſen and reduce the Tolls granted by this or the ſaid former Act, or either of them, in caſe it ſhall appear requiſite and expedient, and to raiſe and advance ſuch Tolls again, and to order the ſame to be taken in ſuch Manner, Parts, and Proportions, as they

they ſhall think fit; ſo as the reſpective Tolls ſo varied do not exceed the Tolls granted by this or the ſaid former Act, nor be leſſened until the Money borrowed or to be borrowed on the Credit of this or the ſaid former Act, together with the Intereſt, be repaid, unleſs all Perſons, to whom ſuch Money and Intereſt which ſhall be then due, conſent thereunto; and ſuch Tolls, ſo reduced or varied, or any of them, ſhall be collected, levied, recovered, and applied, in the ſame Manner as the Tolls hereby, or by the ſaid former Act granted, are directed to be collected, levied, recovered, and applied.

Limitation of Actions.

Provided always, and be it further enacted by the Authority aforeſaid, That if any Suit or Action ſhall be brought or proſecuted againſt any Perſon or Perſons for any Thing done or to be done in purſuance of this preſent Act, every ſuch Action or Suit ſhall be commenced within Six Months next after the Fact committed, and not afterwards, and ſhall be laid and brought in the County where the Cauſe of Action ſhall ariſe, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, not Guilty, and give this preſent 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 this Act; and if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or ſhall be laid in any other County or Place, that then, and in ſuch Caſe or Caſes, the Jury ſhall find a Verdict for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her, or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts, and have the like Remedy for the ſame as any Defendant or Defendants hath or have for Coſts of Suit in any other Caſes by Law.

General Iſſue.

Treble Coſts.

Former Act to continue for 21 Years.

And be it further enacted by the Authority aforeſaid, That every Article, Rule, Clauſe, Power, Authority, Direction, Matter, and Thing, in the ſaid before recited Act mentioned and contained, from and immediately after the paſſing of this Act, ſhall (ſubject to the Alterations herein mentioned and contained) be in Force, and be exerciſed and executed, during the Continuance of the ſaid recited Act, and alſo of this preſent Act, as well for keeping in Repair the ſaid Road directed by the ſaid former Act to be made and repaired, as for repairing and amending the additional Roads herein before deſcribed

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ſcribed and hereby directed to be repaired and amended, as fully and effectually, to all Intents and Purpoſes, as if the ſame were particularly and at large expreſſed, repeated, and re-enacted in the Body of this preſent Act.

Publick Act. And be it further enacted by the Authority aforeſaid, That this preſent 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.