Anno ſeptimo

Georgii III. Regis.

An Act to enlarge the Term and Powers of an Act paſſed in the Eighteenth Year of King *George* the Second, for repairing the Road from *Sacred Gate*, on the South East Side of the Town of *Hedon*, in the East Riding of the County of *York*, through the ſaid Town, to *Hull North Bridge*; and for amending the Road from the preſent Turnpike Bar in *Wyton Holmes*, through the Townſhips of *Wyton* and *Sproatley*, to the Guide Poſt in *Flinton Lane*, near *Humbleton Moor Houſe*, in the ſame Riding.



WHEREAS by an Act of Parliament paſſed in the Eighteenth Year of His late Majeſty King George the Second, intituled, An Act for repairing the Road leading from a Gate commonly called *Sacred Gate*, on the South East Side of the Town of *Hedon*, in the East Riding of the County of *York*, through the ſaid Town, to *Hull North Bridge*; ſeveral Tolls or Duties, and Powers, were granted for repairing the ſaid Road for the Term of Twenty one Years, from the Firſt Day of Preamble, reciting Act 18 *Geo.* II.

of May, One thouſand ſeven hundred and forty five, and from thence to the End of the then next Seſſion of Parliament: And whereas the Truſtees appointed in and by the ſaid Act, in purſuance of the Powers thereby to them given, borrowed ſeveral Sums of Money upon the Credit of the ſaid Act, and there now remains due thereon the Sum of Three thouſand and two hundred Pounds, which has been applied towards repairing and amending the ſaid Road; but the ſame cannot be repaid, nor the ſaid Road be effectually repaired and kept in Repair, unleſs the Term and Powers granted by the ſaid Act be further continued, augmented, and enlarged: And whereas the Road leading out of the aforeſaid Road, from the Turnpike-bar in Wyton Holmes, erected by virtue of the ſaid Act, through the Townſhips of Wyton and Sproatley, in the ſaid Eaſt Riding, to the Guide Poſt in Flinton Lane, near Humbleton Moor Houſe, in the ſame Riding, is very ruinous, and many Parts thereof are too narrow, and in the Winter and wet Seaſons dangerous to Paſſengers, and cannot, by the ordinary Courſe appointed by the Laws now in being, be ſufficiently amended and kept in Repair; 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 the ſaid recited Act (except ſo far as the ſame is hereby varied or altered) ſhall be, and the ſame is hereby further continued from the Expiration thereof, and alſo of the additional Term of Five Years, 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 the ſaid Act, and alſo this preſent Act, ſhall, from and after the paſſing of this Act, and during the Term herein before granted, extend to and be executed as well for the Intents and Purpoſes in the ſaid former Act mentioned, as for amending and keeping in Repair the ſaid additional Road herein before-mentioned and deſcribed,

The recited Act further continued for 21 Years.

ſcribed, in as full and ample Manner as if the ſaid Act was herein repeated and re-enacted.

And be it further enacted, That the Truſtees appointed or to be appointed in or by virtue of the ſaid firſt-mentioned Act, ſhall, from and immediately after the paſſing of this Act, be, and they are hereby appointed alſo Truſtees for putting this Act in Execution; and they, or any Five or more of them, ſhall and may erect, or cauſe to be erected, One Gate or Turnpike near unto the ſaid Turnpike-bar in Wyton Holmes aforeſaid, in or croſs the ſaid additional Road herein directed to be repaired, and ſhall demand, receive, and take, at the ſame Gate or Turnpike hereby authorized to be erected, the Tolls and Duties following, before any Horſe, Mare, Gelding, Mule, Aſs, Cattle, Coach, Chariot, Landau, Berlin, Chaiſe, Calaſh, Hearſe, Litter, Waggon, Wain, Cart, or other Carriage whatſoever, ſhall be permitted to paſs through the ſame Gate or Turnpike ſo to be newly erected as aforeſaid; that is to ſay,

Truſtees may erect an additional Turnpike and Toll-houſe,

and take Tolls thereat.

For every Coach, Chariot, Landau, Berlin, Chaiſe, Calaſh, Chair, or Hearſe, drawn by Six Horſes, Mares, Mules, or Geldings, the Sum of Six Pence; and drawn by Three or Four Horſes, Mares, Mules, or Geldings, the Sum of Four Pence; and drawn by Two Horſes, Mares, Mules, or Geldings, or other Cattle, the Sum of Three Pence; and drawn by One Horſe, Mare, Mule, or Gelding, the Sum of Three Half-pence. The Tolls.

For every Waggon, Wain, Cart, or Carriage, drawn by Five or more Horſes, Mares, Geldings, Oxen, or other Cattle, the Sum of Six Pence; and drawn by Three or more Horſes, Mares, Geldings, Oxen, or other Cattle, the Sum of Four Pence; and drawn by Two Horſes, Mares, Geldings, or other Cattle, the Sum of Three Pence; and drawn by One Horſe, Mare, Gelding, Mule, or Aſs, the Sum of Three Half-pence.

For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, One Halfpenny; provided that every Mare and Foal ſhall pay the Toll as One Horſe.

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Five Pence per Score, and ſo in Proportion for any greater or leſs Number.

For every Drove of Calves, Hogs, Swine, Sheep, or Lambs, the Sum of Two Pence Half-penny per Score, and ſo in Proportion for any greater or leſs Number.

Tolls veſted in the Truſtees.

How to be applied.

Which ſaid reſpective Sum and Sums of Money ſhall be demanded and taken in the Name of or as a Toll or Duty; and the Money thereby to be raiſed and collected is and hereby ſhall be veſted in the ſaid Truſtees; and the ſame, and every Part thereof, ſhall be paid, applied, and diſpoſed of (ſuch Part or Proportion of the Money expended or to be expended in or about or by reaſon of paſſing this Act of Parliament, as herein after is mentioned and provided, being firſt deducted) to and for the Uſe and Benefit of the ſaid additional Road hereby intended and directed to be repaired, and for no other Uſe or Purpoſe whatſoever.

Application of the Monies.

And it is hereby declared and enacted, That the additional Terms hereby granted ſhall be ſubject and liable to the Payment of all Sums of Money now owing upon the Credit of the ſaid firſt-mentioned Act, and of ſuch other Sum or Sums of Money as ſhall be borrowed for the Purpoſes of the ſaid firſt-mentioned Act and this Act, and the Intereſt due and to grow due for the ſame, in the Order and Manner herein after-mentioned; that is to ſay, All Monies which have been or ſhall be borrowed on the Credit only of the Tolls granted by the ſaid firſt-mentioned Act, and the Intereſt thereof, ſhall be firſt raiſed and repaid out of thoſe Tolls; and all Monies which ſhall be borrowed on the Credit only of the Tolls and Duties granted by this Act for the Repair of the ſaid additional Road, and the Intereſt thereof, ſhall be firſt raiſed and repaid out of the ſame Tolls.

Exemptions from Tolls.

Provided always, and be it enacted by the Authority aforeſaid, That William Brigham of Wyton aforeſaid, Eſquire, and his Heirs; and Maſter John Melling of Kingſton upon Hull, and his Heirs, and their reſpective Tenants; ſhall, from time to time, and at all Times hereafter, have Liberty to paſs the ſaid Turnpike-gate by virtue of this Act to be erected as aforeſaid, with their Horſes, Carts, and Carriages, to and from the Town of Wyton aforeſaid, to and from their reſpective Cloſes or Grounds in Wyton Holmes aforeſaid, without paying or being chargeable with any of the Tolls hereby granted to be taken at the ſame Gate, ſo as that they ſhall not proceed further than their ſaid reſpective

Cloſes on the Turnpike Road towards Hedon; and that the Farmers and Occupiers of Lands in Wyton aforeſaid, ſhall not, from and after the ſetting up of the ſame Gate, be charged or chargeable with any Toll or Duty, for any Waggons, Wains, Carts, or Carriages, going for, or loaded only with, Dung, Mould, or Compoſt, of any Kind whatſoever, for their own Uſe or Conſumption in the ſame Townſhip of Wyton; or with Hay, Straw, or Corn in the Straw, to be laid up in their Houſes, Out-houſes, Garths, or Barns, in the ſaid Townſhip; or for any of their Ploughs, Harrows, or Implements of Husbandry, paſſing or repaſſing through the ſame Gate, or any other Turnpike-gate or Croſs-gate to be erected in or upon the ſaid additional Road within the ſaid Townſhip of Wyton aforeſaid purſuant to this Act; and that no Perſon or Perſons ſhall be charged with any of the Tolls or Duties to be taken at ſuch new erected Gate, who ſhall paſs through the ſame with any Cart or Carriage going for or carrying any Stones, Gravel, or other Materials, for repairing either of the ſaid Roads, or for amending any of the Highways in any of the Pariſhes or Townſhips in which the ſaid Roads, or either of them, do lie; or who ſhall be going to or from Church in any of the ſaid Pariſhes or Townſhips, on Sundays; or who ſhall attend the Funeral of any Perſon or Perſons who ſhall die and be buried in any of the ſaid Pariſhes; any thing herein contained to the contrary notwithſtanding.

Application of the reſpective Tolls in repairing the ſeveral Roads.

And be it further enacted by the Authority aforeſaid, That no Money which has ariſen, or ſhall ariſe, from the Tolls or Duties granted by the ſaid firſt-mentioned Act, and hereby continued, ſhall be applied towards the amending and repairing the ſaid additional Road; nor ſhall any Money which ſhall ariſe from the Tolls or Duties hereby granted and intended for the amending and keeping in Repair the ſaid additional Road, be applied towards the amending and repairing the ſaid former Road.

Truſtees may borrow Money on the Credit of the Tolls.

And be it further enacted by the Authority aforeſaid, That from and after the paſſing of this Act, it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, at any of their publick Meetings, purſuant to Notice for that Purpoſe to be given by the Clerk of the ſaid Truſtees, as in the ſaid firſt-recited Act is directed, from time to time, during the Continuance of this preſent Act, to borrow ſuch Sum or Sums

Sums of Money as they ſhall think neceſſary upon the Credit of the Tolls and Duties hereby granted to be taken and raiſed at the Turnpike-bar to be erected croſs the ſaid additional Road; which Money ſo borrowed ſhall be applied in the ſame Manner as the Tolls or Duties hereby granted are directed to be applied.

Charges of this Act how to be paid.

And be it further enacted by the Authority aforeſaid, That all Coſts and Charges in, about, or by reaſon of the paſſing of this Act, ſhall (as ſoon as may be after the paſſing thereof) be paid out of the Money collected or borrowed, or to be collected or borrowed from or upon the reſpective Tolls and Duties granted by the ſaid firſt-mentioned Act and this preſent Act, in ſuch Manner, and in ſuch Proportions, as the ſaid Truſtees, or any Five or more of them, ſhall think proper and reaſonable.

Truſtees may erect Side-gates,

and take Tolls thereat,

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, to erect or cauſe to be erected, One or more Gate or Gates, Turnpike or Turnpikes, on the Side or Sides of the ſaid additional Road, and croſs any Lane or Way leading out of the ſame; and there to take and receive ſuch Tolls as are hereby granted and made payable at any other Turnpike to be erected by virtue of this Act on the ſame Road, ſo as the ſame ſhall not extend to a Double Charge, in paſſing through any other Turnpike to be erected on the ſame Road.

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

Mr. *Raines's* Road declared a private Way, and to be ſtopped up.

And it is hereby declared and enacted, That the Road now or lately made uſe of by William Raines of Wyton aforeſaid, Gentleman, or his Aſſigns, from Wyton aforeſaid, through a Cloſe in Wyton Holmes aforeſaid, belonging to the ſaid William Raines, to the Gate opening into Preſton Field, is not a publick Highway, but only a private Way, by Grant or Permiſſion of the ſaid William Raines, or his Anceſtors, and ſhall immediately after the paſſing of this Act, be by him, or his Heirs or Aſſigns, ſtopped up, ſo as to prevent any Uſe being made thereof, to avoid Payment of the Tolls hereby granted, or any of them.

Mr. *Raines* and Mr. *Buckels* may uſe their private Way for Cultivation of their Lands.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for John Raines and John Buckels, both of Wyton aforeſaid, Gentlemen; and their Heirs and Aſſigns, to continue and uſe by themſelves, and their Servants only, the private Gate and Bridge by them reſpectively made from their reſpective Incloſures in the ſaid Townſhip of Wyton, over the Common Sewer between Wyton and Preſton Lord-

ſhips,

ſhips, to their reſpective Lands in the North Field of Preſton, for the convenient Management and Cultivation thereof, whilſt in their reſpective Manurance and Occupation only, and not otherwiſe; and ſo as they the ſaid John Raines and John Buckels, and their reſpective Heirs and Aſſigns, and Servants reſpectively, do keep their ſaid Gates ſo locked up as not to ſuffer any other Perſon or Perſons to go or paſs through the ſame, or either of them, to avoid the Payment of any of the Tolls or Duties by this Act directed to be taken; and that if they the ſaid John Raines and John Buckels, or either of them, or their or either of their Heirs or Aſſigns, ſhall make or wilfully permit any other Uſe to be made of either of the ſaid Private Ways than as aforeſaid, they ſhall reſpectively, for every ſuch Offence, on Conviction thereof upon Oath, or by Confeſſion, before any Juſtice or Juſtices of the Peace for the ſaid Eaſt Riding, forfeit and pay the Sum of Five Pounds, to be recovered and levied in ſuch Manner as Penalties are by the ſaid firſt-mentioned Act directed to be recovered and levied, and ſhall be applied to the Uſe of the ſaid additional Road hereby directed to be repaired.

Juſtices may hold Meetings at *Hull*, to apportion Statute-work.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Two or more of the Juſtices of the Peace for the ſaid Eaſt Riding, at any Time or Times, to hold a Petty or Special Seſſions of the Peace for the ſaid Riding, at or in the Town of Kingſton upon Hull, for the Purpoſe only of adjudging and determining what Part or Proportion of the Statute-work in the ſeveral Roads hereby and by the ſaid firſt-mentionned Act directed to be amended and repaired, ſhall be done by the reſpective Inhabitants of each or any of the Pariſhes, Townſhips, Hamlets, or Places, in which the ſaid ſeveral Roads do lie; and that any Two or more of the ſaid Juſtices may, at any Time or Times hereafter, hold ſuch Petty Seſſions either in the ſaid Riding, or at or in the ſaid Town of Kingſton upon Hull, upon Application for that Purpoſe, by any Two or more of the ſaid Truſtees; the ſaid recited Act, or any other Law, Uſage, or Cuſtom, to the contrary thereof notwithſtanding.

Treaſurer, &c. to keep ſeparate Accounts of different Tolls.

And be it further enacted by the Authority aforeſaid, That the Collectors, Treaſurers, Surveyors, and other Officers to be employed by the ſaid Truſtees, or any Five or more of them, ſhall keep ſeparate and diſtinct Ac-

counts of all Monies to be received and raiſed upon Account of the ſaid additional Road, and of the Applications thereof, and lay the ſame before the ſaid Truſtees, or any Five or more of them, at their ſeveral Meetings, from time to time, as the ſaid Truſtees, or any Five or more of them, ſhall order and direct.

Time and Place of Truſtees Meeting.

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall meet together at a Houſe known by the Sign of the Nag's Head, in the Pariſh of Sutton, on the Seventh Day of May, One thouſand ſeven hundred and ſixty ſeven, and proceed to the Execution of the ſaid firſt mentioned Act, and this preſent Act; and ſhall then adjourn themſelves to ſuch Place or Places near the ſaid Roads, as the ſaid Truſtees, or any Five or more of them, ſhall from time to time appoint; but if it ſhall happen that there ſhall not appear at any ſuch Meeting a ſufficient Number of Truſtees to act, and to adjourn to another Day, then, and in every ſuch Caſe, the Clerk to the ſaid Truſtees ſhall, by Notice in Writing to be fixed on all the Turnpikes erected or to be erected by virtue of the ſaid firſt mentioned Act, or this Act, at leaſt Ten Days before the next Meeting, appoint the Truſtees to meet at ſome convenient Place near the ſaid Roads, on the Twenty firſt Day next after the Day on which ſuch laſt Meeting was appointed to be held.

In Default of a ſufficient Number to act, Clerk to give Notice of another Meeting.

A Meeting to be called on Emergeney, or Neglect of Adjournment, or Notice of Clerk.

Provided always, and be it further enacted by the Authority aforeſaid, That if, upon any Emergency, a Meeting of the ſaid Truſtees ſhall be thought neceſſary to be held at any other Time than that which ſhall be appointed by the ſaid Truſtees, or any Five or more of them, or by the Clerk to the ſaid Truſtees as aforeſaid; or in caſe there ſhall be any Neglect or Default of any ſuch Appointment or Notice of Meeting as aforeſaid, then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, by Writing under their Hands, to appoint a Meeting of the ſaid Truſtees, for the Execution of the ſaid firſt mentioned Act, and this Act, at ſuch Place in or near the ſaid Roads, and at ſuch Time as they ſhall think fit, cauſing Ten Days Notice at leaſt, in Writing, to be affixed on all the Turnpike-gates of the Time and Place of ſuch Meeting, which Meeting may be adjourned in like Manner as any other Meeting by the ſaid firſt mentioned Act and this Act is appointed to be adjourned; and in caſe ſuch Meeting ſhall be appointed

for

for any particular Buſineſs to be done, the ſame ſhall be ſpecified in ſuch Notice.

Perſons aggrieved may appeal to the Quarter Seſſions.

And be it further enacted, That if any Perſon ſhall think him or herſelf aggrieved by any thing done in purſuance of the ſaid firſt mentioned Act or this Act, and for which no particular Method of Relief hath been already provided, it ſhall and may be lawful for him or her to appeal (giving Fifteen Days Notice in Writing of ſuch Appeal to the Perſon or Perſons againſt whom the ſame ſhall be made) to the Juſtices of the Peace at the next General Quarter Seſſions of the Peace to be held in and for the ſaid Riding, who are hereby authoriſed and required to take Cognizance thereof, and to hear and determine the ſame at the Quarter Seſſions to which ſuch Appeal ſhall be made, or at the next General Quarter Seſſions, as they ſhall think fit, in a ſummary Way, and, if they ſee Cauſe, may, by Order of ſuch Seſſions, mitigate at their Diſcretion all or any the Penalties, or vacate or ſet aſide the Conviction or Convictions, and reſtore the Parties to Liberty, or may ratify and confirm the ſame, with ſuch Coſts as to them ſhall ſeem reaſonable, and make ſuch Orders and Judgement for levying ſuch Coſts, or otherwiſe in reſpect to the Premiſſes, as they ſhall think proper; and the Order and Judgement of the ſaid Juſtices ſhall be final and binding to all Parties.

Notice of Appeal to be given.

Recognizance to be entered into.

Truſtees may leaſe, &c. the Tolls.

And be it further enacted, That the ſaid Truſtees, or any Five or more them, ſhall and may, and they are hereby impowered, by Indenture or Indentures under their Hands and Seals, at any Time during the Continuance of the ſaid firſt mentioned Act, and this Act, to leaſe, demiſe, and to farm-let the Tolls or Duties by the ſaid Acts granted and continued, or any Part thereof, unto any Perſon or Perſons who ſhall be willing to rent and take the ſame to farm for any Time not exceeding Three Years, for the beſt Rent they can get for the ſame; to be payable to the ſaid Truſtees, or any Five or more of them, or to ſuch Perſon or Perſons as they, or any Five or more of them, ſhall, under their Hands, direct or appoint to receive the ſame; with ſuch Covenants to be therein contained, and ſuch Security for the Payment of the Rents, as to the ſaid Truſtees, or any Five or more of them, ſigning the ſame, ſhall ſeem proper and requiſite; ſo as Notice in Writing be fixed on all the Turnpike-gates then erected upon the ſaid Roads, at leaſt Fourteen Days before the granting every

every ſuch Leaſe or Demiſe reſpectively; and which ſaid ſeveral Leaſes ſo to be made, ſhall be entered by the Clerk to the ſaid Truſtees for the time being, in a Book to be kept for that Purpoſe; and which ſaid Book may be ſeen or peruſed by any Perſon or Perſons, without Fee or Reward; and the Rent or Rents in and by ſuch Leaſes and Demiſes to be reſerved and made payable, ſhall be applied and diſpoſed of in ſuch Manner as the Tolls or Duties by the ſaid firſt-mentioned Act, and this Act, are directed to be applied and diſpoſed of, and to and for no other Uſe or Purpoſe whatſoever.

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

And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, from time to time, at any Meeting to be called or appointed for that Purpoſe (whereof Fifteen Days Notice in Writing ſhall be given and fixed as aforeſaid) to leſſen and reduce all or any of the ſaid Tolls or Duties; and afterwards, at any ſubſequent Meeting to be held, upon the like Notice, to raiſe and augment the ſame again, ſo as the ſame do not exceed the Tolls or Duties granted and continued by the ſaid firſt-mentioned Act, and this Act; and ſo as ſuch Reduction be made by and with the Conſent, in Writing, of the Perſon or Perſons intitled to any Leaſe, Demiſe, Mortgage, or Security, made, or to be made, of the ſaid Tolls or Duties, or any Part thereof.

Diſtreſs not to be deemed unlawful for want of Form;

And be it further enacted, That when any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of the ſaid firſt-mentioned Act or this Act, the Diſtreſs ſhall not be deemed to be unlawful, nor the Party or Parties making the ſame a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceedings relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers ab initio, on account of any Irregularity which ſhall afterwards be done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the Special Damage in an Action upon the Caſe.

nor the Parties diſtraining deemed Treſpaſſers *ab initio*.

Plaintiff not to recover, if Tender of Amends has been made.

Provided nevertheleſs, That no Plaintiff or Plaintiffs ſhall recover in any Action or Actions for ſuch Irregularity, if ſufficient Tender of Amends hath been made to him, her, or them, by or on Behalf of the Defendant or Defendants before ſuch Action brought.

And

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall, and they are hereby required, to take ſuch Security from the Treaſurer or Treaſurers appointed, or to be appointed, for the Purpoſes of the ſaid firſt-mentioned Act, and this Act, for the due Execution of his and their ſaid Office and Offices, as to the ſaid Truſtees, or any Five or more of them, ſhall ſeem meet. Treaſurer to give Security.

Provided alſo, and be it further enacted by the Authority aforeſaid, That no Perſon who ſhall ſell Ale, Wine, Beer, Cyder, or Spirituous Liquors, by Retail, ſhall be capable of holding any Place of Profit under the ſaid former Act or this Act. Victuallers, &c. not to hold Places of Profit.

And be it further enacted by the Authority aforeſaid, That all Acts, Matters, and Things, by the ſaid former Act directed or authorized to be done, executed, or performed, by Seven Truſtees, ſhall and may, from and after the paſſing of this Act, be done, executed, and performed, by Five or more of ſuch Truſtees; any thing in the ſaid former Act contained to the contrary notwithſtanding. Five Truſtees to make a Meeting.

And be it further enacted, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, ſuch Action or Suit ſhall be brought within Six Months next after the Fact committed, and not afterwards; and ſhall be laid or brought in the County of York, 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 Authority of this Act; and if the ſame ſhall appear ſo to have been done, or ſuch Action or Suit ſhall be brought in any other County, Place or Places, 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 or their Action, after the Defendant or Defendants ſhall have appeared, or if upon Demurrer, Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant 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 Caſe by Law. Limitation of Actions. General Iſſue. Treble Coſts.

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.

FINIS.