Anno ſecundo

Georgii III. Regis.

An Act to amend and render more effectual an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act for amending, widening, and keeping in Repair, the Road leading from* Fiſherton Bridge, *to the Turnpike Road at* Willoughby Hedge *in* Weſt Knoyle, *and from* Wilton Bridge, *to the Turnpike Road at the Weſt End of* Heytesbury; *and alſo the Road from the Turnpike Road at the Top of* Red Hone Hill, *in the Pariſh of* Urſhfont, *to the Mile-ſtone at the Weſtern End of* Fiſherton Street, *in the County of* Wilts.

WHEREAS an Act paſſed in the laſt Seſſion of Parliament, intituled, An Act for amending, widening, and keeping in Repair, the Road leading from *Fiſherton Bridge*, to the Turnpike Road at *Willoughby Hedge* in *Weſt Knoyle*, and from *Wilton Bridge*, to the Turnpike Road at the Weſt End of *Heytesbury*; and alſo the Road from the Turnpike Road at the Top of *Red Hone Hill*, in the Pariſh of *Urſhfont*, to the Mile-ſtone at the Weſtern End of *Fiſherton Street*, in the County of *Wilts*; and the Truſtees therein named, have proceeded to put the ſaid Act in Execution: And whereas

Preamble, reciting an Act of laſt Seſſion.

by the said Act the said Trustees are restrained from taking more than One Toll in any One Day, upon the Roads by the said Act directed to be repaired, which contain about Forty eight Miles; and unless the Trustees are impowered to take further Tolls, it will be impracticable effectually to repair the same; 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 immediately after the passing of this present Act, so much of the said Act as restrains the said Trustees from taking more than One Toll in any One Day, upon any Part of the said Roads, shall be, and the same is hereby repealed.

Clause in recited Act repealed.

Trustees may take Two Tolls between *Fisherton Bridge* and *Willoughby Hedge*, &c.

And be it further enacted by the Authority aforesaid, That from and immediately after the passing of this Act, it shall and may be lawful to and for the Trustees appointed by the said Act, or to be elected as therein is mentioned, during the Continuance of the said Act, to demand, receive, and take, for the Passage of any Horse, Mare, Gelding, or other Cattle, Coach, Waggon, or other Carriage, Two Tolls for passing through all the Turnpikes erected or to be erected in pursuance of the said Act, upon such Part of the said Roads, or on the Sides thereof, as lie between Fisherton Bridge and the Turnpike Road at Willoughby Hedge, in West Knoyle aforesaid; and also to demand, receive, and take, for the Passage of any Horse, Mare, Gelding, or other Cattle, Coach, Waggon, or other Carriage, Two Tolls for passing through all the Turnpikes erected or to be erected in pursuance of the said Act, upon such Part of the said Roads, or on the Sides thereof, as lie between Fisherton Bridge and the said Turnpike Road at the West End of the Town of Heytesbury aforesaid, or for passing through the Two most remote Turnpikes erected or to be erected upon either of the aforesaid Two Branches of Road; any thing contained in the said recited Act, to the contrary thereof in any wise notwithstanding; Which said respective Tolls shall be levied, recovered, and applied, as the Tolls granted by the said Act are therein directed to be levied, recovered, and applied.

And whereas Persons who travel upon the said Roads may, by turning out of the same near Fisherton Bridge, avoid the Payment of the Tolls at the said Gate; and by reason of the Openness of the Country thereabouts the said Trustees cannot erect Gates upon the Sides of

the Roads, ſo as to prevent ſuch Evaſions; therefore, in order to prevent the ſame for the future, be it enacted by the Authority aforeſaid, That from and immediately after the paſſing of this preſent Act, it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby authorized and impowered, from time to time, when and as often as they ſhall find it neceſſary, to erect, or cauſe to be erected, ſet up, or made, any Gate or Turnpike, or any other Fence whatſoever, at or near a Place called Bullbridge, acroſs a certain Road which leads out of Part of the Roads aforeſaid; and alſo at or near a Place called Avon by Stratford, under the Caſtle of Old Sarum, acroſs a certain Road which leads out of another Part of the Roads aforeſaid; and to remove ſuch Gates, Turnpikes, or Fences, at and for ſuch Time and Times as they ſhall think fit; and alſo to erect, ſet up, and make, ſuch Fence again, at the Places aforeſaid, as often as they ſhall think neceſſary; and ſhall and may cauſe ſuch and the ſame Tolls to be received and taken at any ſuch Gates, Turnpikes, and Fences, during the Time and Times which they ſhall continue to be erected, ſet up, or made, at the Places aforeſaid, as are directed to be paid at any of the Gates or Turnpikes upon the ſaid Roads; and the ſaid Tolls ſhall be levied, recovered, accounted for, and applied, by ſuch Ways and Means, and in ſuch Manner, as the Tolls directed to be paid by the ſaid Act are thereby directed to be levied, recovered, accounted for, and applied; and in caſe any Perſon or Perſons who ought to pay the ſaid Tolls, or any Part thereof, ſhall refuſe or neglect to pay the ſame, or any Part thereof, or ſhall evade, or attempt to evade, the Payment thereof, or any Part thereof, every ſuch Perſon or Perſons, in any of the Caſes aforeſaid, ſhall, for every ſuch Offence, be ſubject and liable to the ſame Penalties and Forfeitures as Perſons refuſing to pay the Tolls directed to be taken by virtue of the ſaid Act, or evading, or attempting to evade, the Payment thereof, are ſubject and liable to; and ſuch Penalties and Forfeitures ſhall and may be levied, recovered, and applied, as the Penalties and Forfeitures incurred for the like Offences againſt the ſaid Act are thereby directed to be levied, recovered, and applied.

Charges of paſſing this Act how to be paid.

And be it further enacted by the Authority aforeſaid, That all the Expences of procuring and paſſing this Act, ſhall be paid out of the Money already borrowed, or to be borrowed, on the Credit of the ſaid former Act and this preſent Act.

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Limitation of Actions. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of the said former Act, or this Act, the same shall be commenced within Six Calendar Months next after the Fact committed, and not afterwards, and shall be laid and brought in the County of Wilts, and not elsewhere; and the Defendant or Defendants in any such Action or Suit, General Issue. shall and may plead the General Issue, and give the said former Act, and this Act, or either of them, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the same was done in Pursuance and by the Authority thereof; and if it shall appear so to have been done, or that such Action or Suit shall be commenced after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, that then the Jury shall find for the Defendant or Defendants; and upon a Verdict for the Defendant, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall Treble Costs. and may have and recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have for his or their Costs in other Cases by Law.

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

FINIS.