

ANNO QUINTO

VICTORIÆ REGINÆ.

Sess. 2.

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granted; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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 all and every the Powers and Provisions therein contained, (save and except such Parts thereof as are hereby expressly varied, altered, or repealed,) shall be as good, valid, and effectual for carrying this Act into execution, as if the same had been repeated and re-enacted in the Body of this present Act.

Powers of recited Act extended to this Act.

Term of Act.

II. And be it enacted, That the said recited Act and this Act shall continue to be in force from and after the passing of this Act for the Space of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

Application of Tolls.

III. And be it enacted, That out of the Monies arising from the Tolls in and by the said Act authorized to be levied which shall be in the Hands of the Mayor, Aldermen, and Burgesses of *New Windsor* at the Time of the passing of this Act, or which shall first arise from the said Tolls after the passing of this Act, shall be applied by the said Mayor, Aldermen, and Burgesses, in the first place, in paying and discharging the Costs and Charges attending the applying for and obtaining this Act, in preference to all other Payments whatsoever, and in the next place for the Purposes for which the Tolls granted by the said recited Act are directed to be applied, or so many of them as are capable of taking effect, in the Order therein mentioned, and for no other Purpose whatsoever.

So much of recited Act as imposes a Penalty on Persons injuring the Bridge repealed.

IV. And be it enacted, That so much of the said recited Act as enacted that if any Person or Persons should wilfully and maliciously blow up, pull down, or destroy the said Bridge, or any Part thereof, or any Toll House or Toll Gate to be erected or set up upon or near the said Bridge, or any of the Works, Buildings, or Erections made in pursuance of the said recited Act, or cause or procure or direct or incite the same to be done, every Person so offending, on being convicted thereof, should be deemed guilty of Felony, and the Court before whom such Person should be tried and convicted should have Power and Authority to cause such Person or Persons to be transported beyond the Seas for the Term of Seven Years, or might, in mitigation of such Punishment, pronounce such Sentence as the Law directs in Cases of Petty Larceny, shall be and the same is hereby repealed.

So much of recited Act as respects Limitation of Actions

V. And whereas it was by the said recited Act enacted that no Action or Suit should be commenced against any Person or Persons for any thing done in pursuance of that Act after the Expiration of Three Calendar Months next after the Fact committed, and every such Action or Suit should be brought and tried in the County where the Cause of Action should arise, and not elsewhere; and if any such Action or Suit should be brought before Fourteen Days Notice should have been given, or after a sufficient Satisfaction made or tendered as

aforesaid, or after the Time limited for bringing the same as aforesaid, or should be brought in any other County than as aforesaid, then and in every such Case the Jury should find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs should be nonsuited, or discontinue his or her Action or Suit after the Defendant or Defendants should have appeared, or if upon Demurrer Judgment should be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants should recover Treble Costs, and should have such Remedy for recovering the same as any Defendant hath for Costs of Suit in other Cases by Law: And whereas it is expedient the said recited Provision should be repealed; be it therefore enacted, That the same shall be and is hereby repealed: Provided always, that nothing in this Act contained shall prejudice or affect any Action, Suit, Information, or other Proceeding now pending between the said Mayor, Aldermen, and Burgesses and any Company or Person or Persons whomsoever, or shall revive any Right which under the Provision lastly hereby repealed may have been barred prior to the passing of this Act.

Proviso for pending Suits.

Public Act.

VI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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