

Ibid.

Every such Surveyor may likewise cause Stones to be gathered upon any mans ground within the Parish, and the same to carry away for the use aforesaid.

And if there be not sufficient materials in any Parish for the Repair of the High-ways, then the Surveyors, or such as they shall appoint, may by allowance of Two Justices of Peace take Gravel, Chalk, Sand, Cinder or Stones out of the Wasts or Commons of any Neighbouring Parish, &c. or on the Sea-coast: So as they fill up the place within a Month, if required, 14 Ca. 2. c. 6.

And where there are not sufficient Gravel, Chalk, Stones, Cinders, or Sand in the Wasts or Commons of any Parish, the Surveyors may enter into any mans several grounds (not being House, Orchard, Garden, Courtyard, Park with Deer in it, or Meadow) in the same Parish near the High-ways to be Repaired; and take any quantity of such materials without paying any thing, except where formerly composition hath been paid, rendering such damage to the Owner as two Justices of Peace near the place shall Assess, and filling up the Pits, as by the Statute of 5 El. is directed, Stat. 14 Ca. 2. c. 6.

o. Raff. c. 2. & M.

P. 6.

Every such Surveyor may cause any Water-course or Spring of Water (being in the Highway within their Parish) to be turned into another mans several Ditch (or Ground) next adjoining to the said way, in such manner as by the discretion of the said Surveyors shall be thought meet.

Where a Common-way is not of the breadth of Eight yards from the Shore and Brinks of the Ditches on either side, or from the Banks and Hedges where there are no Ditches, the Surveyor by order from the Quarter-Sessions; and upon the view, and by the allowance and consent of Two or more Justices of the Peace, authorized thereunto by the Sessions under their Hands and Seals, to lay out of any mans Land next adjoining to such way, where they shall think it needful and convenient it may be done, as shall enlarge it to the full breadth of Eight yards, or so much broader towards the breadth of Eight yards than now it is, as conveniently the place will bear from the Shores, Ditches, Banks or Hedges, and by consent of the Owners; or otherwise by order of the Justices of Peace at their Quarter-Sessions, after a Writ of Ad quod damnum first issued and returned to lay out a more new and commodious Way in and over the Lands next or near adjoining; the Surveyors giving satisfaction to the Owners, not exceeding Twenty years purchase: which new Way shall be Repaired by such Parish, &c. or by such persons as the old or former Way was to have been. 14 Car. 2. c. 6.

§ 16.

P. 11. 2 P. & M.

Also any two Justices of Peace, (the one being of the Quorum) upon complaint to them made the Churchwardens of any Parish may convene before them the Bailiff and High-Constables, (to whom the Clerk of the Peace or Steward of any Lect hath delivered any Estreats for the Collecting of the Fines, Forfeitures, or Amercements for the Defaults aforesaid) and may take their accounts; and may compel them to pay all such Arrearages, as they shall adjudge, to the Constables and Churchwardens of the Parish where the Offence was committed; or may imprison them until they have paid such Arrearages.

§ 17. Two Justices, Accounts, Compts.

z 13.

Every Bailiff and High-Constable upon their said Accounts shall have allowed for every Pound he shall Collect and Pay 8 d. for his own Pains, and 12 d. for the Fee for the Estreat delivered him.

P. 11.

Also it seemeth any Two such Justices of Peace, upon complaint to them made by the succeeding Churchwardens or Constables, may convene before them the precedent Constables and Churchwardens, and may take their