

their Accounts, and may compel them (as aforesaid) to pay all Arrearages in their hands 2 & 3 P. & M. 8. *The Offences against* 18 El. 10. *shall be heard* 2 P. & M. and determined in their open Sessions. 18 El. 10. So that it seems they can do nothing relating to that Statute, but in Sessions.

Note, That all such Fines or Forfeitures arising in the Sessions, shall be levied by Estreats indepted, made by the Clerk of the Peace, who shall Seal and Sign such Estreats, and shall deliver the one part thereof so sealed and signed to the Bailiff or High-Constable of the same Hundred, and the other part thereof to the Constables or Churchwardens of the Parish where such Default was made; and to be delivered by the Clerk of the Peace within six Weeks after *Michaelmas* yearly; the which Estreats shall be a sufficient Warrant to the said Bailiff or High-Constable, to levy such Fines and Forfeitures by Distress: and all such Fines and Forfeitures shall be bestowed by the Churchwardens on the High-ways in the same Parish. *All Forfeitures by* 18 El. 10. *shall be levied by the Surveyors by Distress and Sale, and the Money shall be employ'd on the High-way; and if they levy it not within a year, then the Constables and Churchwardens may levy it, and shall Account.* 18 El. 10.

Also two Justices of Peace (by the Statute 18 El. 10.) may take the Account of the Surveyors of the Ways, and of the petty Constables and Churchwardens, for all such Forfeitures (within the Statute) as they have levied. 18 El. cap. 10. 18 El. 10.

§. 18. *All charitable Gifts for making or repairing High-ways, Pavements, Causways; all Issues for not appearing to Indictments, or Informations, for not repairing High-ways, or removing Nuisances, all Fines and Amercements on places or persons for not repairing High-ways not otherwise thereby disposed of, shall be employed on the High ways to be levied by the Surveyors by Warrant under two Justices of Peaces Hands by Distress and Sale.* 14 Car. 2. c. 6. *And for them, such Surveyors shall within one Month after the end of his year, Account with the Inhabitants, as well what he hath received and employed, and how, and of all Arrears thereof, and shall pay over the overplus; and for default of such Account, upon complaint, Two Justices of Peace living near to, or in the Parish, may examine the business, and send the Surveyor to Gaol, until he make a true and perfect Account and Payment.* 14 Car. 2. c. 6.

Here I thought good to move some doubts that have arose upon the former Statutes; and desire that some Resolution may hereafter be given, for better satisfaction, for that they be so ordinarily questioned.

§. 19. *Quæritur.* What, and how much a Plough-land is, Sir *Ed. Coke* in his Ninth part, in *Low's Case*, and upon *Littleton*, telleth us, and saith, That a Caruc, or Hide of Land, or a Plough-land, which is all one, is not of any certain content, but so much as one Plough may Plough in one year; and so in some Countries it is more, and in some other it is less (according to the heaviness of their soil:) and herewith agreeth Mr. *Lambert*, *verbo Hide.* Co. 9. 12. Co. L. 69.

*Differences arising upon several Presentments, what shall be conceived a Plough-land; an Order of Explanation was made, that One hundred Acres should be Ten esteemed, and One Peny an Acre for all more, 1 October, 16 Jac.*

*Plough-land.* And afterwards upon the same difference 80 Acres was to be accounted a Plough-land, and so proportionably to be charged for mending the High-ways, Ord. 28 Apr. 12. Carlib. Sef. Pac. Mid.

And of the same Opinion was Judge *Prisot*, 35 H. 6. 29. where he saith, That a Caruc of Land is greater in one Country than in another, for that 35 H. 6. c.