

Carteth or Ploughieth for other men, whether he is not chargeable to find a Cart for the amending of the High-ways. It seemeth he is: but *quære* whether he be chargeable to find Two able men with his Cart, * except he hath in his occuparion a Plough-land: perhaps also he keepeth never a man. * P. 2.

- §. 21. No Travelling Waggon, Wain, Cart or Carriage, wherein any Burdens, Goods or Wares shall be carried (other than such Carriages as are employed in Husbandry, or manuring Land, or for carrying of Hay, Straw, Corn unthresht, Coal, Chalk, Timber for Shipping, Materials for building, Stones, or His Majesties Ammunition or Artillery) shall go with above Five Horses at length; and if any shall draw with a greater number of Horses or Oxen, they shall draw in pairs, except one Horse: and if offending, and do otherwise, the owner shall forfeit for every Offence 40 s. viz. One third part to the Surveyors for the High-ways, another third part to the Overseers for the Poor, the other third part to the discoverer, to be levied by any Officer by Warrant of any Justice of Peace by Distress and Sale. 22 Car. 2.
- §. 22. Officers neglect. Any Constable or Surveyor not putting the Acts, touching the repair of High-ways, in Execution, or suffering Carts to pass through their limits, otherwise than as aforesaid, shall upon complaint to any Justice of Peace of that place, or division, and proof of such neglect, by Oath of one credible Witness, or upon view of such Justice incur such Fine, as such Justice shall impose, not exceeding 40 s. to be levied as at last aforesaid. 22 Car. 2.
- Resisting. If any person shall resist or oppose any person employed in the due Execution of the Acts, touching High-ways, or make rescue of any Goods distrained, being convicted in form aforesaid, shall forfeit Forty shillings, which if he pay not within seven days after notice of such Conviction, any Justice of Peace residing near the place of such rescue or opposition, may commit him to Gaol, till he pay the Forfeiture to the Surveyor. 22 Car. 2.
- §. 23. Charities. Justices of Peace (amongst others) may hear and determine matters concerning charitable Gifts, for making or repairing High-ways, Pavements, Streets and Causeys, and make orders for the employment thereof according to the Will of the Donors (except Gifts to the aforesaid uses to any Colledge, Hall, Free-School or Hospital, which have proper Visitors,) and all Offences, Defaults and Defects in Surveyors, or others touching the premisses. And if any be grieved with such orders, he may appeal to the Chancery, as in case of a Decree made upon the Statute of charitable uses. 14 Ca. 2. c. 6.
- Gifts. Where Lands are given for maintenance of Causeys, Pavements, High-ways or Bridges; the Feoffees and Trustees shall let them to Farm at the best improved value without Fine: And the Justices of Peace in their Quarter-Sessions may enquire into the value thereof, and if they find a neglect or fault in the Trustees; may order the improvement and employment thereof (except where there be proper Visitors.) 22 Car. 2.
- §. 24. Time. Where the High-ways cannot be repaired before Midsummer-day, the same may be repaired before S. Lukes day yearly, without incurring any penalty. 22 Ca. 2.
- §. 25. Where presentable. All defects of repairs of High ways, Causeys, Pavements, or Bridges, shall be presented only in the County where they lie, and not elsewhere, and that no such Presentment or Indictment shall be removed by Certiorari,