

rari or otherwise out of the said County, till Traverse and Judgment given.  
22 Car.2.

A Bridge lying between two Counties, and not known in which of those two Counties part lies; nor who ought to repair the same, an Indictment for the same seems to be removeable by Certiorari, notwithstanding this Statute: so likewise if a person in respect of Lands in one County ought to repair a Bridge or Highway in another County, ne deficeret justitia.

Note, the Statute of 14 Car. 2. as to all Clauses and powers therein (except the making a Tax) is to continue until the end of the first Session of the next Parliament and no longer; but the Statute of 22 Ca.2. is perpetual, saving only as to the power of Taxing. §.26. Statutes.

The Justices of Peace have also power in their Sessions by Indictment, to punish by Fine all Nuisances, Incroachments, and Purprestures in the Highways, as namely, §.27.

1. The building and erecting of Gates on the Highways, where none have anciently been, and these as every private person may pull down and break, in order thereto, if it cannot be done otherwise, as was resolved in the case of Jones and Harward, P. 6. Ca. B. R. Jones, Rep. p. 221. & Cro. 1 part, p. 133. So the persons so doing may by Indictment being found guilty be fined, therefore, and enjoyned to remove the same.

2. The incroaching on any part of the Highway by building, or other Inclosure, the King shall have the punishment of it, although the Soil be anothers. §.4.9.

3. Anothers annoying thereof, by laying Carrion on the same.

4. The overflowing the same with Water stopt in those Wares, or in any mans private Grounds; whereby the publick Ways are overflowed.

5. Digging Pits in the ways, or near them, by which passage becomes dangerous.

6. The laying Loggs, or any things obstructive of their use, for which although none can have an Action, but he that hath particular and special damage, that any one may indict and so procure to be reformed. §.H.8.26.

And for the Northern Highways, as York, Lincoln, &c see the Act 15 Car. 2. cap. 1. Stat. 3. and the Act of 16 & 17 Car. 2. Cap. 2.

An Act for the necessary repairs of certain Highways in the County of Hartford, 16 & 17 Ca. 2. 10 & 15 Ca. 2. c. 1.

## C H A P. L I.

There be also certain particular Statutes concerning Highways and Streets, as followeth.

19 El. 19. P. 19. §. 1. One Justice. 22 Car. 2. Wild. 20. **T**He Occupier of any Iron-works, for every Three Loads of Coal or Mine, and also for every Tun of Iron that he shall cause to be carried in Winter time by the space of one mile in the Highways within the Wilds of Essex, Surrey, or Kent, shall pay to the Justices of Peace dwelling near to the places in that County where the Highways shall be most annoyed, or to his Assigns, 3 s. in Money; the same in default of payment, to be levied by Distress by such Justice, or his Assignee, of the goods of the party in the said County.

Also such Occupier, for every 30 loads of Coal and Mine, and for every Ten Tuns of Iron carried in the said Highways, &c. shall lay one load of Cinder