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the payment of all or any of the tolls and whereby the same shall be evaded or lessened, every such person shall forfeit and pay for every such offence any sum not exceeding forty shillings.

43. *And be it further enacted by the authority aforesaid,* That it shall be lawful for the Commissioners to make or cause to be made a road through the grounds adjoining any ruinous or narrow part, or any part making and not completed, of any turnpike road (not being the site or ground whereon any buildings stand, or being an orchard, yard, garden, planted walk, or avenue or any ground planted as an ornament or shelter for a house, or any enclosed ground set apart as a nursery for trees) to be made use of by all passengers, cattle and carriages as a public highway whilst the old road is repairing or widening or a new road making, and till such time as it shall be convenient for passengers and carriages to pass along the same, making such recompence to the owners and occupiers of such private grounds respectively for the damage they shall or may thereby sustain as shall be adjudged reasonable by the Commissioners, and in case of any difference concerning such damages between such owners or occupiers and such Commissioners, then it shall and may be lawful for any two or more Justices of the Peace, acting in and for the District, on fourteen days notice in writing being given by either party to the other, to settle, adjudge and finally determine what recompence shall be made to such owners and occupiers for the damages they shall have sustained as aforesaid.

Commissioners may use grounds adjoining to roads when the same are out of repair, by paying for the use of the same.

In case of difference, two Justices to determine.

44. *And be it further enacted by the authority aforesaid,* That in case any person shall resist or make forcible opposition against any collector of the tolls in the execution of his office, every such person offending therein shall for every such offence forfeit any sum not exceeding five pounds, at the discretion of the Justices of the Peace before whom he shall be convicted.

45. *And be it further enacted by the authority*