

SESSIONAL PAPER No. 30

tices then and there assembled, that such proposed improvement or work will be of public benefit to the District, and that it is expedient to undertake the same, they may come to a resolution to such effect, and declare that they will take the matter into consideration at the General Quarter Session next ensuing, advertising such resolution in the public papers or giving such other notice thereof as they shall deem necessary, and in case it shall be deemed advisable by the greater number of the Justices at such subsequent Quarter Session assembled, upon further consideration that such resolution should be confirmed, it shall and may be lawful for the said Justices, to order and direct that the sum provided the same do not exceed fifty pounds, be raised and collected either in the whole or by installments of and from the Freeholders and Inhabitants, within the said District, to be paid out of the District assessment for the said District.

XVI. And be it further enacted by the authority aforesaid, that if any person or persons shall alter, stop up, or any wise incumber or encroach on any street, highway or road already laid out, or that shall be laid out by the Commissioners aforesaid, by laying timber or wood, or wilfully leaving any cart, waggon, carriage, plough or any instrument of husbandry or any rubbish, dung or manure in any highway (excepting only with respect to such waggon, cart or carriage during such reasonable time, as the same shall be loading or unloading and standing as near the side of such highway as conveniently may be) so as to intercept or hinder the free passage of any other carriage of his Majesty's subjects, or shall pull down or destroy any fences that shall be put up by virtue of this Act, he shall forfeit and pay for every such offence the sum of five shillings.

XVII. And be it further enacted, that after the passing of this Act, it shall not be lawful for any owner or occupier of lands adjoining to his Majesty's highway or Road, to girdle or cause to be girdled any tree standing upon such lands within the distance of thirty yards, from the side of the said road, and that from and after the first day of September, that will be in the year one thousand seven hundred and ninety-four, if any girdled tree or dead tree shall be found standing within thirty yards of the said Road, it shall and may be lawful for any person taking with him a credible witness to give a verbal or written notice to the owner or occupier of the said lands to cut down or remove such girdled or dead tree or trees, and in case any owner or occupier of the said lands shall neglect or refuse to cut down or remove any such tree by the space of thirty days after such notice as aforesaid, he shall forfeit and pay the sum of ten shillings for every day that the said tree shall be suffered to remain uncut or unremoved after the expiration of such period as aforesaid, which penalty shall be levied and applied in manner & for the purposes herein after mentioned; and also that from and after the said first day of September, if any Tree shall be cut down or fall out of any inclosed land into or across any of the public Highways, that the owner or occupier of such inclosure, shall within the space of twenty four hours after the same shall be so fallen, remove the same, and if after such notice thereof given to such owner or occupier as aforesaid, he shall neglect to remove such tree out of the said road by the space of twenty four hours, he shall forfeit and pay the sum of ten shillings for every day that the said Tree shall be unremoved after receiving such notice as aforesaid.

XVIII. And be it further enacted by the authority aforesaid, that the penalties severally inflicted by virtue of this act, and all other fines and forfeitures accruing by virtue thereof shall be levied and recovered by warrant under the hand and seal of some Justice of the Peace, acting within the division, where such refusal or neglect shall have been made or offence committed, which warrant such Justice is hereby empowered and required to grant, upon conviction of the offender by confession, or upon oath of one credible witness of any offence committed against any of the enactments or provisions herein contained, and in default of payment of such