

any mile post or stone ; or if any person shall throw any earth, rubbish or other matter or thing into any drain, ditch, culvert or other water-course made for draining any such Road, or if any person shall without permission, carry away any stones, gravel, sand or other materials, 5 dirt or soil from any part of any such Road, or dig any holes or ditches on the allowance for the same, or shall forcibly pass or attempt to pass by force any of the toll-gates set up by any such Company, or to use the work constructed by the Company without having first paid the 10 toll fixed by the Directors of such Company to be received at any such gate, such person shall upon conviction thereof in a summary way before any Justice of the Peace in or near the place where the injury shall have been done, be sentenced to pay all damages sustained by 15 such Company, to be ascertained by the said Justice upon the hearing of the said complaint, and also to pay a fine of not more than

Committal in
default of pay-
ment of fine

nor less than ; such damages and fine to be paid either in money, or in the discretion of 20 the said Justice, in labor to be performed upon the Road (if the offence relate to a Road, but not otherwise) under the direction of the said Company, and within a time to be limited by the said Justice, and in default thereof the offender shall be committed to the Common Gaol of the 25 District where such offence shall have been committed, for any time not exceeding

How penalties
under this Act
may be en-
forced.

XXVII. And be it enacted, That the fines and forfeitures authorized to be summarily imposed by this Act, shall and may be levied and collected by distress and 30 sale of the offender's goods and chattels, under the authority of any warrant or warrants of distress for that purpose to be issued by the Justice before whom the conviction shall have been had ; and in case there shall be no goods or chattels to satisfy such warrant or warrants, 35 such offender or offenders shall and may be committed to the Common Gaol of the District for any period not exceeding month .

Punishment of
persons evad-
ing tolls.

XXVIII. And be it enacted, That if any person or persons shall, after proceeding on any such Road with any 40 waggon, carriage or other vehicle, or animals liable to pay toll, turn out of the said Road into any other road, and shall enter the said Road beyond any of the said gate or gates without paying toll, whereby such payment shall be evaded, such person or persons shall for every such 45 offence, forfeit and pay the sum of shillings, which said sum shall be expended on the said Road or towards the discharge of any debts due by the Company ; and any one Justice of the Peace for the District in which such part of the said Road is situate, 50 shall, on conviction of such offender, fine such offender in the said penalty, and shall cause the same to be levied as aforesaid.