



Highway Act 1835

1835 CHAPTER 50

LIV If sufficient Materials cannot be found in Waste Lands, &c. Surveyor may take them from the several or inclosed Lands or Grounds, making Satisfaction to the Owners.

And be it further enacted, That it shall be lawful for every such Surveyor, for the Use aforesaid, by Licence in Writing from the Justices at a Special Sessions for the Highways, to search for, dig, and get Materials, if sufficient cannot be had conveniently within such Waste Lands, Common Grounds, Rivers, or Brooks, in or through any of the several or inclosed Lands or Grounds of any Person whomsoever (such Lands or Grounds not being a Garden, Yard, Avenue to a House, Lawn, Park, Paddock, or inclosed Plantation, or inclosed Wood not exceeding One hundred Acres in extent,) within the Parish where the same shall be wanted, or within any other Parish adjoining or lying near to the Highway for which such Materials shall be required, if it shall appear to such Justices that sufficient Materials cannot be conveniently had in the Parish where such Highways lie, or in the Waste Lands or Common Grounds, Rivers or Brooks of such adjacent Parish, and that a sufficient Quantity of Materials will be left for the Use of the Parish where the same shall be, and to take and carry away so much of the said Materials as by the Discretion of the said Surveyor shall be thought necessary to be employed in the Amendment of the said Highways; the said Surveyor making such Satisfaction for the Materials which may be got or taken away, and also for the Damage done to such Lands or Grounds by the getting and carrying away the same, as shall be settled and ascertained by Order of the Justices at a Special Sessions for the Highways.