



Highway Act 1835

1835 CHAPTER 50

LXIX Penalty for encroaching on Highway. Encroachment to be taken down by the Surveyor.

And be it further enacted, That if any Person shall encroach by making or causing to be made any Building, Hedge, Ditch, or other Fence on any Carriageway or Cartway within the Distance of Fifteen Feet from the Centre thereof, every Person so offending shall forfeit, on Conviction, for every such Offence any Sum not exceeding Forty Shillings ; and the Surveyor who hath the Care of any such Carriageway or Cartway shall and he is hereby required to cause such Building, Hedge, Ditch, or Fence to be taken down or filled up at the Expence of the Person to whom the same shall belong; and it shall and may be lawful for the Justices at a Special Sessions for the Highways upon Proof to them made upon Oath, to levy as well the Expences of taking down such Building, Hedge, or Fence, or filling up such Ditch as aforesaid, as the several and respective Penalties hereby imposed, by Distress and Sale of the Offender's Goods and Chattels, in such Manner as Distresses and Sales for Forfeitures are authorized and directed to be levied by virtue of this Act.