



# Highway Act 1835

## 1835 CHAPTER 50

### **XC Costs to be awarded in Appeal against stopping up, &c. Highway.**

And be it further enacted, That the Court of Quarter Sessions is hereby authorized and required to award to the Party giving or receiving Notice of Appeal such Costs and Expences as shall be incurred in prosecuting or resisting such Appeal, whether the same shall be tried or not, and such Costs and Expences shall be paid by the Surveyor or other Party as aforesaid at whose Instance the Notice for diverting and turning or stopping up the Highway, either entirely or subject as aforesaid, shall have been given; and in case the said Surveyor or other Party as aforesaid shall not appear in support thereof, the said Court of Quarter Sessions shall award the Costs of the Appellant to be paid by such Surveyor or other Party as aforesaid, and such Costs shall be recoverable in the same Manner as any Penalties or Forfeitures are recoverable under this Act.