



Highway Act 1835

1835 CHAPTER 50

XCVII Justices empowered to award Costs to Defendant, where Information, &c. is withdrawn or dismissed.

And be it further enacted, That if any Surveyor or other Person shall be summoned before any Justice to answer any Information or Complaint exhibited or made against him touching or concerning any Offence committed or alleged to have been committed by such Surveyor or other Person against the Provisions of this Act, or for any supposed Neglect of Duty, in case such Surveyor or other Person be convicted thereof, such justice shall be authorized and empowered to order the Payment by such Surveyor or other Person of all Costs or Proceedings against him; but in case such Information or Complaint shall afterwards be withdrawn or quashed or dismissed, or if the Defendant shall be acquitted of the Offence or Neglect of Duty charged against him, it shall be lawful for such Justices to order and award that the Person exhibiting or making such Information Or Complaint shall pay to the Defendant all such Costs as to such Justice shall seem reasonable; and in default of immediate Payment of the Sum so awarded, it shall be lawful for such Justices to cause the same to be levied by Distress and Sale of the Goods and Chattels Of the Person ordered to pay the same, together with the Costs of such Distress and Sale ; and if Goods and Chattels of such Person sufficient to answer the Sum so awarded, with such Costs as aforesaid, cannot be found, it shall be lawful for such Justices to commit such Person to the Common Gaol or House of Correction, there to be kept to hard Labour, for any Time not exceeding One Calendar Month, unless the Sum so awarded, together with all Costs and Expences, shall be sooner paid and satisfied.