

the Bench of Justices have Power to enquire of the Default, and to set such Fine on the Offender as any two of them, one being of the *Quorum*, shall think fit, § *Eliz. c. 1.*

If any Justice of the Peace present in Sessions upon his own Knowledge, it shall be a good Conviction, whereupon any two of the Justices, the one being of the *Quorum*, may assess a Fine, as well as if the Matter had been found on the Verdict of Twelve Men: But in this Case the Offender shall be, as in other Cases, admitted to his Traverse, § *Eliz. c. 13. Rast. 199.* and all such Fines and Forfeitures are to be bestowed and employed towards the mending and bettering of the High-ways in the Parish where the Offences are committed, *Wing. Abridg. Tit. High-ways, 2 and 3 P. & M. c. 8.*

Where Surveyors have laid out their Money for Materials to mend the Ways, where without there were none fitting to be had, it is enacted 2 & 3 of *W. & M.* That upon Notice given by the Surveyors of High-ways, to the Justices of the Peace, at their Grand Sessions, and Oath made of what Sum or Sums of Money are expended to that Use or Behoof; the Justices thereupon, or any two of them, under their Hands and Seals, may cause an equal Rate to be made, for the reimbursing the Surveyor or Surveyors, the Moneys by them to the Use aforesaid laid out, upon all the Inhabitants of such Parish or Township where it was expended, in Rates, according to the Rules and Methods prescribed in 43 *Eliz. c. 2.* for the Relief of the Poor; which Act directs the Tax to be laid on each individual Inhabitant, as Parson, Vicar, and others; and every Occupier of House or Land, Tithes Improprate, Improprations of Tithes,