ANNO PRIMO

GEORGII IV. REGIS.

Cap. vii.

An Act for regulating the Repairs of the Bridges in the County of *Montgomery*.

[22d *June* 1820.]

WHEREAS the Inhabitants of divers of the Hundreds, Parishes, Townships, Towns, and Districts, within the County of *Montgomery*, have been accustomed to repair and amend, and have from Time to Time repaired and amended the Bridges and Roads at the Ends thereof, situate within the same Hundreds, Parishes, Townships, Towns, and Districts; and Doubts have arisen how far the other Inhabitants of the said County are liable to contribute to the same: And whereas it has been found that the said Repairs have been, in many Instances, done in a very imperfect Manner, and by reason thereof divers of the said Bridges are become and are ruinous and unsafe: And whereas if the same were repaired by the Inhabitants of the said County, as Bridges commonly called County Bridges are repaired, they might be kept in a more perfect State, and rendered more commodious for Passengers than they now are, or can be, unless the Mode of repairing the same is regulated: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases in which the Inhabitants of any Hundred, Parish, Township, Town, or District, within the said County, have usually repaired the Bridges, or any of them, or any Part or Portion thereof, situate within the same Hundred, Parish, Town, or District

Notice to be given to Magistrates by the Inhabitants, of their Inten-

tion to repair any Bridge or Bridges.

District respectively, it shall and may be lawful for the major Part or more of the Inhabitants, being Owners or Occupiers of Lands, Tenements, or Hereditaments within such Hundred, Parish, Township, Town, or District, assessed or contributing to the County Rate, assembled in pursuance of a Notice, which shall be affixed for Two previous *Sundays* upon each and every Parish Church Door of the same Hundred, Parish, Township, Town, or District, and once in some Newspaper usually in Circulation in the said County, to give a Notice or Notices in Writing, signed by themselves, or any other Person or Persons duly authorized by them or any of them, to the Magistrates assembled at any Quarter Sessions of the Peace for the said County, that they are desirous that any one or more of such Bridges, or any such Part or Portion as aforesaid, within such Hundred, Parish, Township, Town, or District, shall be thereafter kept in Repair as a County Bridge, by the Inhabitants of the said County, which said Notice shall be lodged with the Clerk of the Peace Three Days at least before such Quarter Sessions; and thereupon it shall and may be lawful to and for the Court assembled at such Quarter Sessions, or any Adjournment thereof, or any subsequent Quarter Sessions, within a convenient Time after the Receipt of any such Notice as aforesaid, to direct, by an Order in Writing, the Surveyor of the Bridges in the said County for the Time being, or any other Person or Persons to be by the said Court nominated and appointed, to examine the State and Condition of any such Bridges or Bridge, or Part or Portion as aforesaid, together with the Roads at the Ends of such Bridges or Bridge, respecting which such Notice shall have been given as aforesaid, and thereupon such Surveyor, or other Person or Persons, shall, as soon as conveniently may be, examine and survey the State and Condition of such Bridges or Bridge, and the Roads at the Ends thereof, or Part or Portion as aforesaid, and shall calculate and ascertain what Sum of Money will, in the Judgment of such Surveyor, or other Person or Persons as aforesaid, be sufficient to repair, rebuild, keep, and maintain such Bridges or Bridge, or Part or Portion as aforesaid, and Roads, in a State of good and substantial Repair for Twenty-five Years next after making such Survey and Examination as aforesaid; and thereupon such Surveyor, or other Person or Persons as aforesaid, shall, and he and they is and are hereby required to report upon Oath to the Court assembled at the next or any subsequent Quarter Sessions of the Peace for the County aforesaid (which Oath the said Court is hereby empowered to administer), what Sum of Money will, in the Judgment of such Surveyor, or other Person or Persons in that Behalf aforesaid, be sufficient for the Purpose aforesaid; and thereupon the Court assembled at the said Quarter Sessions at which such Report is made, or in case it shall adjourn the Consideration of the same, or shall make no Order thereupon, the Court assembled at any other Quarter Sessions of the Peace for the County aforesaid, shall and may, and it is hereby authorized and required, by an Order in Writing, to direct at what Period, or by what Instalments, or how otherwise, such Sum so reported as aforesaid shall be paid by the Inhabitants of the said Hundred, Parish, Township, Town, or District, in which such Bridges or Bridge, or Part or Portion, are or is situate; which said Sum, so reported as aforesaid, shall in manner herein-after mentioned, be levied and raised upon the Inhabitants of such Hundred, Parish, Township, Town, or District, at such Period and by such Instalments as the said Court shall have directed and appointed by its aforesaid Order, and in such Manner as the Rates for the Repair of

Court of Quarter Sessions may direct a Survey to be made of any Bridge or Bridges.

Court of Quarter Sessions empowered to order a Sum sufficient to repair any Bridge or Bridges to be levied.

any

any County Bridges in the County aforesaid are or shall be collected, levied, or raised; and such Sum, when so levied and raised, shall be paid to the Treasurer for the said County for the Time being, and be applicable to such Purposes as the Rates commonly called County Rates are applicable within the said County.

Bridges to be repaired as County Bridges.

II. And be it further enacted by the Authority aforesaid, That from and after the making of the said Order by the said Magistrates, directing at what Period, or by what Instalments, or how otherwise, such Sum so reported as aforesaid shall be paid, every such Bridge or Bridges, or Part or Portion as aforesaid, and Roads, shall be repairable by the Inhabitants of the said County, as County Bridges or a County Bridge, and shall be in every respect whatsoever subject to the same Laws, and the Roads at the Ends or End thereof shall be repairable and repaired, as if the same had been immemorially a County Bridge or County Bridges; and any Indictment, Presentment, or Process whatsoever, relating to or respecting any such Bridges or Bridge, or Roads, or any or either of them, may be in all respects the same as if such Bridges or Bridge had been immemorially County Bridges or a County Bridge.

The Order of the Magistrates for raising Money to be filed with the Clerk of the Peace.

III. And be it further enacted by the Authority aforesaid, That immediately after the making the said Order by the said Court, directing at what Period, or by what Instalment, or how otherwise, such Sum so reported as aforesaid shall be paid, the said Order shall be filed with the Clerk of the Peace for the said County for the Time being, and he is hereby required to file the same, for which said filing no more than the Sum of One Shilling shall be taken, and a Copy thereof, signed by the Clerk of the Peace for the Time being, shall be delivered to the Treasurer of the County for the Time being; and any Copy of the said Order, signed as aforesaid, shall in all Cases whatsoever be conclusive Evidence that the Provisions of this Act have been fully complied with, and that any such Bridges or Bridge, or Part or Portion as aforesaid, to which any such Order relates, and the Roads aforesaid, are and is repairable by the Inhabitants of the said County, and are or is in all respects a County Bridge or County Bridges; and no Part of any Proceedings had or taken under or by virtue of this Act, or intended so to be, shall be removed or removable into any other Court by any Writ of *Certiorari* or other Writ or Process whatsoever; and in any Indictment, Information, Presentment, or Proceeding whatsoever, relating to the State or Condition of such Bridges or Bridge, or Part or Portion thereof, the Defendants may plead the General Issue, and give this Act and the special Matter in Evidence.

Recovery of Sums reported.

IV. And be it further enacted by the Authority aforesaid, That for the better carrying the Purposes of this Act into Execution, all and every such Sum or Sums as shall be so reported and ordered as aforesaid, shall, as and when the same or any Part or Parcel or Instalment thereof shall be due and payable, be levied and recovered in such and the like Manner as any Rates, commonly called County Rates or Assessments within the said County, can be levied or recovered.

Costs of Act.

V. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Treasurer of the said County for the Time being, and he is hereby authorized and required, to pay and discharge all the

the Costs, Charges, and Expences attending or relating to the passing of this Act, which shall be allowed and deemed reasonable by any Three or more Magistrates of the County aforesaid, and signified so to be by any Writing under their Hands, out of any Monies in the Hands, Custody, or Possession of such Treasurer as Treasurer as aforesaid, at the Time of the passing of this Act, or out of the first such Money as shall after that Time come to his Hands, Custody, or Possession, as Treasurer as aforesaid.

For removing Situations of Bridges, &c.

VI. And whereas owing to the Smallness or Poverty of several of the Districts hitherto liable to the Repairs of the present subsisting Bridges within the County aforesaid, many of such Bridges are composed of Timber, built on insufficient Foundations, or inconveniently situated: And whereas it would be highly desirable that Bridges of other and different Materials should be built, in the Room of such Bridges, in more convenient Places, and where more adequate Foundations can be found: And whereas by the existing Laws no Bridge can be removed more than Two hundred Yards from its present Scite; be it further enacted by the Authority aforesaid, That where any such Bridges or Bridge within the County aforesaid are or is composed, in the whole or in part, of Timber, or (in the Opinion and Judgment of the Magistrates assembled at any of their Quarter Sessions) built on insufficient Foundations, or inconveniently situated as aforesaid, it shall and may be lawful to and for the said Magistrates to order and direct the same to be taken down, and a County Bridge or County Bridges in the Lieu or Stead thereof to be rebuilt on any new Scite or Situation more convenient to the Public, contiguous to or within Five hundred Yards of the former one, of such Materials as to such Magistrates shall seem meet.

Public Act.

VII. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

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