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*N. 39.*

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R E P O R T

FROM

COMMITTEE ON COUNTY BRIDGES.

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*Ordered to be printed 19th May 1801.*

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R E P O R T.

The COMMITTEE who were appointed to consider of giving Powers to the Justices of the Peace for the more effectually repairing County Bridges, and to report the same, together with their Opinion thereupon, to the House;—and to whom the Report, which upon the Thirtieth Day of May, One thousand Eight hundred, was made from the Committee who were appointed to consider of giving Power to the Justices of the Peace for the more effectually repairing County Bridges, and to report the same, together with their Opinion thereupon, to the House, and who were instructed to consider of the Steps proper to be taken previous to the building of Bridges that are to be deemed County Bridges, and also of empowering Justices of the Peace, in their Quarter Sessions, to alter the Situation of County Bridges, and to widen and enlarge the same, and the Roads at the Ends thereof, and who were likewise instructed to consider of empowering Justices to direct Actions to be brought, in the Name of the Clerk of the Peace, for Damages done to County Bridges, County Gaols, Bridewells, and other County Works, was referred;—and who were instructed to consider of the several other Matters referred to in the said Report;—

HAVE, pursuant to the Orders of the House, considered the several Matters to them referred, and come to the following Resolutions; viz.

Resolved,

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## REPORT ON

*Resolved,*

THAT it is the Opinion of this Committee, That the Powers given by the different Statutes now in Force, relative to the Repair of County Bridges, are in some Respects defective.

*Resolved,*

THAT it is the Opinion of this Committee, That the Surveyors of County Bridges, appointed by Justices of the Peace at their General Quarter Sessions, should have the same Power to get, take, and carry away, Stones, Gravel, Sand, and other Materials for the Repair of Roads over Bridges, and the Roads for the Space of Three Hundred Feet at each of the Ends thereof, as are given to the Surveyors of Highways by virtue of an Act passed in the Thirteenth Year of the Reign of His present Majesty, making Satisfaction for the Damages done thereby, in the same Manner as is directed by the said Act.

*Resolved,*

THAT it is the Opinion of this Committee, That the Justices of Peace in General Quarter Sessions, should be empowered to alter the Situation of County Bridges, and to widen and enlarge the same, and the Roads for the Space of Three Hundred Feet at each of the Ends thereof, and to order their Surveyor to agree for the Recompence to be made for the Ground to be taken for those Purposes; and if the said Surveyor cannot agree with the Persons, Bodies Politic or Corporate, who are seized and possessed of such Ground, or if they cannot be found, or shall refuse to treat or take such Recompence as shall be offered to them respectively by such Surveyor, then the said Justices shall have Power to impanel a Jury at the Quarter Sessions, to assess the Damages to be given and the Recompence to be made to the Owners and others interested in the said Grounds, in the Manner directed by the said Act of the Thirteenth Year of the Reign of His present Majesty, in respect to the Widening of Highways; and if

## COUNTY BRIDGES.

if the Jury shall give a Verdict for more Money than was offered by the said Surveyor, the Costs of the Proceedings to be paid by the said Surveyor; but if the Jury shall give a Verdict for no more or for less than was offered by the Surveyor, then the Costs to be paid by the Person or Body Corporate who refused to accept the Satisfaction so offered to him; and that on Payment or Tender of the Money so to be awarded, on leaving it in the Hands of the Clerk of the Peace, if the Party entitled to receive it cannot be found or shall refuse to accept it, the Interest of such Person shall be divested out of him; saving nevertheless to the Owner of the Ground all Mines and Minerals which may be got without breaking the Ground, and all Timber and Wood growing on such Ground.

*Resolved,*

THAT it is the Opinion of this Committee, That the Powers and Provisions of the said Statute of the Thirteenth Year of the Reign of His present Majesty, relative to Highways, and the Surveyors of Highways in general, be extended to County Bridges and Roads at the Ends thereof, and the Surveyors of such Bridges and Roads, as far as the same can be extended and applied.

*Resolved,*

THAT it is the Opinion of this Committee, That the Inhabitants of Counties should have Power of suing and being sued, in the Name of their Surveyor or some other Public Officer.

*Resolved,*

THAT it is the Opinion of this Committee, That Counties should not be bound to maintain and repair any Bridge hereafter to be built, unless the Magistrates in General Quarter Sessions assembled, should determine that such Bridge is necessary to be built for the Purposes of the Public, and should consent thereto.

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