



Highway Act 1835

1835 CHAPTER 50

XCIII Provisions as to widening of a Highway to extend to all Highways which Persons are bound to repair *ratione tenurae*, &c. Justices to fix annual or other Amount payable by Party previously bound to repair.

And be it further enacted, That the Powers and Provisions in this Act contained with respect to the widening and enlarging, diverting, turning, or stopping up any Highway shall be applicable to all Highways which any Person, Bodies Politic or Corporate, is or are bound to repair by reason of any Grant, Tenure, Limitation, or Appointment of any charitable Gift, or otherwise howsoever ; and that when such last-mentioned Highways are so widened or enlarged, turned or diverted, the same shall and may, by an Order of the Justices at a Special Sessions for the Highways, be placed under the Control and Care of the Surveyor of the Parish in which such Highways may be situate, and shall be from Time to Time thereafter repaired and kept in repair by the said Parish : Provided also, that the said Highways so widened, enlarged, diverted, or turned shall be viewed by Two Justices of the Peace, who shall make a Report thereof to the Justices at a Special Sessions for the Highways ; and such last-mentioned Justices shall, by an Order under their Hands, fix the proportionate Sum which shall be annually paid, or shall fix a certain Sum to be paid, by such Person, Bodies Politic or Corporate, his or their Heirs, Successors, or Assigns, to the said Surveyors of the Parish, in lieu of thereafter repairing the said Part of the said old Highway , and the Order of the said last-mentioned Justices shall be and continue binding on all such Person, Bodies Politic or Corporate, their Heirs, Successors, or Assigns ; and in default of Payment thereof the said Surveyor shall proceed for the Recovery of the same in the Manner as any Penalties and Forfeitures are recoverable under this Act.