



ANNO PRIMO & SECUNDO

GEORGH II. REGIS.

Cap. lxxv.

An Act to enable the Justices of the Peace for the County of *Brecon*, to rebuild, repair, and take down Bridges within the said County, not being County Bridges. [28th *May* 1821.]

WHEREAS the Inhabitants of several Hundreds, Parishes, Hamlets, and Districts within the County of *Brecon*, have, by reason of Prescription, Usage, or from some other Cause, been accustomed to repair and amend, and have from Time to Time repaired and amended, at their own Expence, several Bridges situated within the same Hundreds, Parishes, Hamlets, and Districts, notwithstanding such Bridges have become of great public Utility: And whereas Doubts and Difficulties have arisen, and Controversies are likely to arise, in respect to the Liability to repair and amend such Bridges: And whereas by an Act made in the Forty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for remedying certain Defects in the Laws relative to the building and repairing of County Bridges, and other Works, maintained at the Expence of the Inhabitants of Counties in England*, for the more clearly ascertaining the Description of Bridges thereafter to be erected, which Inhabitants of Counties should and might be bound or liable to repair and maintain, it is enacted, that no Bridge thereafter to be erected or built in any County, by or at the Expence of any Individual, or private Person or Persons, Body Politic or Corporate, should

43G. 3. c. 59.

[*Local.*]

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be deemed or taken to be a County Bridge, or a Bridge which the Inhabitants of any County should be compellable or liable to maintain or repair, unless such Bridge should be erected in a substantial and commodious Manner, under the Direction or to the Satisfaction of the County Surveyor, or Person appointed by the Justices of the Peace at their General Quarter Sessions assembled, or by the Justices of the Peace of the County of *Lancaster*, at their Annual General Sessions; and which Surveyor or Person so appointed is thereby required to superintend and inspect the Erection of such Bridge, when thereunto requested by the Party or Parties desirous of erecting the same; and in case the said Party or Parties should be dissatisfied, the Matter should be determined by the said Justices respectively, at their next General Quarter Sessions, or at their Annual General Sessions in the County of *Lancaster*: And whereas it is considered to be equitable and just, that the Expences of repairing all Bridges of public Utility, which are situate within those Hundreds, Parishes, Hamlets or Districts of the said County of *Brecon*, that contribute to the Public Stock or Fund of the same County, should in future be borne and defrayed by and out of such Public Stock or Fund, in the same Manner as the Expences of repairing all Bridges denominated County Bridges are at present borne and defrayed: And whereas if such a Measure was adopted, all the Bridges of public Utility within the said County of *Brecon*, and situated as before mentioned, would hereafter be kept in a more perfect State of Repair, and made more commodious for Passengers, than they now are: 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 notwithstanding any thing contained to the contrary in the said recited Act, or in any other Act or Acts, and notwithstanding any Law, Custom, or Usage to the contrary, all Bridges of public Utility within the said County of *Brecon*, and which are situated within those Hundreds, Parishes, Hamlets, or Districts of the said County, that contribute to the Public Stock or Fund of the same County, shall, from and after the passing of this Act, be, and be deemed, construed, and taken to be County Bridges; and that all the Inhabitants of the said County shall for ever hereafter be subject and liable to the Repairs of the same Bridges, and of the Roads at the Ends thereof, in the same Manner to all Intents and Purposes whatsoever, as such Inhabitants are at present subject and liable to the Repairs of all Bridges called and denominated County Bridges, and the Roads at the Ends thereof, although such Bridges and the Roads at the Ends thereof, may heretofore have been repaired, amended, and rebuilt at the Expence of the Inhabitants of such Hundreds, Parishes, Hamlets, or Districts.

Bridges at present repaired by Inhabitants of Districts deemed County Bridges.

Justices of the Peace empowered to order Expences of Repairs, &c. to be paid out of the County Stock.

II. And be it further enacted, That it shall and may be lawful to and for the Justices of the Peace acting in and for the said County of *Brecon*, and they are hereby fully authorized, empowered, and directed, to contract for the repairing, amending, widening, and rebuilding of all such Bridges as before mentioned, and for repairing and widening the Roads at the Ends thereof, in the same Manner as they

they are at present authorized and empowered to contract for repairing, amending, and rebuilding of all Bridges called and denominated County Bridges, and for repairing and widening the Roads at the Ends thereof; and the said Justices are hereby further authorized, empowered, and directed from Time to Time to order and direct the Treasurer or Treasurers for the Time being, of the said County of *Brecon*, to pay and discharge out of the Public Stock or Fund of the same County, all and every such Sum and Sums of Money as to such Justices shall seem right and proper, for repairing, widening, rebuilding, and making more commodious all such Bridges as before mentioned, and for repairing, widening, and making more commodious the Roads at the Ends thereof, in as large and ample Manner to all Intents and Purposes, and by, with, and under the same Powers, Provisions, and Stipulations, as the said Justices are at present authorized and empowered to order and direct Monies to be paid in respect to the repairing, widening, rebuilding, and making more commodious all Bridges, called and denominated County Bridges.

III. Provided nevertheless, and be it further enacted, That nothing herein contained shall extend, or be deemed or construed to extend, to alter or repeal any Part of the said recited Act, passed in the Forty-third Year of His late Majesty King *George* the Third, as far as the same applies to all Bridges hereafter to be erected in the said County of *Brecon*.

Recited Act
43 G. 3. not
altered or
repealed.

IV. 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 One hundred Yards from its present Site; be it further enacted, That where any such Bridges or Bridge within the County aforesaid are or is composed in the Whole or in Part of Timber, or built on insufficient Foundations, or inconveniently situated as aforesaid, it shall and may be lawful to and for the said Justices of the Peace acting in and for the said County of *Brecon*, to order and direct the same to be taken down, and a County Bridge or Bridges to be built, of such Materials as to such Justices shall seem meet, in the lieu or stead thereof, and on any new Site or Situation more convenient to the Public, contiguous to or within Five hundred Yards of the former Bridge.

Justices of
the Peace
empowered
to remove
the Scite of
Bridges, &c.

V. And be it further enacted, That in case any Public Highway or Bridleway within the said County of *Brecon*, shall hereafter be diverted, turned, or stopped up, by Two Justices of the Peace acting in and for the said County, in pursuance of the Powers vested in them by Law, and where, in consequence of such Diversion, turning, or stopping up any Bridge or Bridges, which previous thereto shall have been a County Bridge or County Bridges, but which in consequence of such Diversion, turning, or stopping up, shall have ceased

Where Roads
have been
stopped up,
and Bridges
become use-
less, Justices
empowered
to take them
down.

to

to be of public Utility, then and in that Case it shall and may be lawful to and for the Justices of the Peace of the said County of *Brecon*, at their General Quarter Sessions, or at any Adjournment thereof, to order and direct the said Bridge or Bridges to be taken down, and to order and direct the Bridge Surveyor of the said County for the Time being, to sell and dispose of the Materials thereof, and to pay the Money arising from such Sale to the Treasurer or Treasurers of the said County for the Time being, to the Credit of the said Public Stock or Fund of the said County: Provided nevertheless, that in case any such Bridge or Bridges which shall have so ceased to be of public Utility, shall notwithstanding be a Convenience to any Person or Persons whomsoever, and such Person or Persons shall make an Application in Writing to the said Justices of the Peace at their General Quarter Sessions, that such Bridge or Bridges shall not be taken down, then and in that Case it shall and may be lawful to and for the said Justices to order and direct that such Bridge or Bridges shall remain standing; and from and after the making of such Order, the said Bridge or Bridges shall cease to be a County Bridge or County Bridges, and the said County, as well as every Hundred, Parish, or District within the same, shall for ever thereafter be discharged from the Repairs thereof.

Expences of
Act to be
paid out of
County
Rates.

VI. And be it further enacted, That it shall and may be lawful for the said Justices at their said General Quarter Sessions, or at any Adjournment thereof, to order and direct the said Treasurer or Treasurers for the Time being of the said County of *Brecon*, to pay and discharge all the Costs, Charges, and Expences attending the obtaining and passing of this Act, out of and from the said Public Stock or Fund of the said County.

Public Act.

VII. And be it further enacted, 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 others, without being specially pleaded.

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