

Ibid. Also the said four Justices of Peace may allow such reasonable cost and charges to the said Surveyors and Collectors, as by their discretions they shall think convenient.

P. 1. If any such Bridge shall ly wholly in a City or other Corporate Town, the Inhabitants of the Shire or Riding shall not be charged therewith, but such Bridge shall be made and repaired by the Inhabitants of such City or Town Corporate. §. 2.
Who shall
be charged.

P. 1. If any such Bridge be without a City or Town Corporate, the same shall be made and repaired by the Inhabitants of the Shire or Riding within which the same Bridge shall be.

Ibid. If part of any such Bridge be in one Shire, Riding, City or Corporate Town, and part in another, then every of them shall be charged to make and repair such parts as shall lye and be within their limits, &c.

Magna Charta. 15. P. ti. Wears 1. F. Grants 94. 21 E. 3. 31. 21 E. 4. 16. But otherwise no Village or Free men shall be compelled to make any Bridge, but such as of old time and by right they had wont to make, and that they and their Ancestors have used time out of mind to make the same, or that they hold certain Lands to make the same: for though a man of his own accord hath made or amended a Bridge, yet shall he not be thereto constrained at another time; and yet if a man and his Ancestors, or a Corporation, &c. have time out of mind used to do such things, although they did it of their own free mind and accord, and not of right, nor have any Land by reason whereof they may be tied, yet such continuance shall conclude them and their Heirs or Successors. And so of High-ways, 21 Ed. 4. 46.

Also there is a Writ in the Register directed to the Sheriff, willing him to cause such to whom it belongeth, to repair a Bridge, or repair High-ways, &c. Reg. Orig. fol. 153, 154.

Where a man and his Ancestors or Predecessors have used time out of mind to repair a Bridge, the King cannot acquit or discharge them thereof. Fitz. Gr. 94.

Where it is presented that J. S. *ratione tenuræ suæ* hath used to repair such a Bridge, this implieth a Prescription. 21 E. 4. 38. Crom. 176.

But a Presentment that J. S. and his Ancestors have used to repair such a Bridge, this is no good Prescription to charge the Heir (by the act of his Ancestor) without any profit to be taken therefore. 27 Ass. 8. Cromp. 187. §. 3.
Prescriptio-
em. See the next Case but one.

Otherwise it is of a Corporation Spiritual or Temporal: they by reason of usage time out of mind, &c. may be charged at this day to repair a Bridge, although they have no Land by reason whereof to be charged, for that such a Body never dieth. Ibid.

Also where a man hath once repaired a Bridge, and that afterwards the same was not repaired within the memory of man, by some Opinions, he, or they which have his Estate in Land, shall be bound to repair the Bridge; for that it shall be supposed to have been done at the first, by reason or cause of his Tenancy, except some other particular cause of the doing thereof shall be proved: but where the cause shall appear, there *cessante causa, cessabit effectus*.

B. Bridges 1. He that hath his Land adjoining to such a Bridge, is not chargeable to make or repair the Bridge, except where they have made it by Prescription. 8 H. 7. fol. 5. b.

Cro. 186. b. & 137. b. * 37 Ass. pl. 10. per Green. By common right Bridges shall be amended by the whole County, for that it is for their common good and ease; and yet if any have Fishings or other profit in that River, they in Reason and *Law (it seemeth) are chargeable; and therefore the Justices of Peace in good discretion may tax such proportionably to their profit, §. 4. Where