* Among the Romans the Censors were the Inspectors of the High ways & Cases of Neglecting persons in repairing

In England the care of making reparing and maintaining the publick High ways is committed to the Justices of peace in the several Counties, and Surveyors yearly named by them, who are directed by and Answerable for their management to the Justices. The way of appointing those Surveyors is prescribed 3 & 4 W & M. ch. 12 §3. Their duty or the manner how they ought to execute their office, Ibid. §8. 22 Car. 2. ch. 12 §12. 5 Eliz. 13 §3. 4. 6. 18 Eliz. 10 §7. 3 & 4 W & M. ch. 12 §12. 5 Eliz. 13. §8. 22 Car. 2 ch. 12 §11. 3 & 4 W & M. 12 §9. 6 Anne 29 §3. By their ancient Law the general Charge of Reparing all High ways lies on the occupiers of the Lands in the parish wherein they are. But some particular persons are bound to repair parts of high ways by the Tenure of their Lands, or in Respect of a prescription. Some are by Statute compellable to work in the Repairs of high ways in their own persons or by others 2 & 3 ph. & M. 8. 22 Car. 2. ch. 12 §8 & 9. 18. Eliz. 10 §2 & 3. 7 & 8 W. 3. ch. 29 §5. others may be Assessed to a Rate made for defraying of the Extraordinary Charges of such Repairs 22 Car. 2. ch. 12 §10 & 11. 3 & 4 W & M. 12 §13. 14. 17. & 18. 7 & 8 W. 3 Ch. 29 §4. Some Lands have been settled in Trust for the Repairs of high ways, and the Justices of peace are in their quarter sessions to see that the Rents and profits thereof be imployed according to the intent of the Donor 22 Car. 2. ch. 12 §2. The manner of proceeding against those charged with any offence relating to the High ways is set forth in the Statutes of 2 & 3 ph. & M. 8. 5 Eliz. 13 §8. 9. 10. 18 Eliz. 10 §9. 22 Car. 2. Ch. 12. §9 & 10. 3 & 4 W. & M. 12 §17. 22 Car. 2. Ch. 12 §4. 3 & 4 W & M. 12. §23. & 20.

* In Scotland the Sheriff of each Shire with one of his deputies being an Heritor, and the Justices of peace with the Commissioners of Supply have the Charge of making reparing and upholding high ways and five of them are a Quorum for that purpose, Except in the Shires of Clackmannan, Kinross & Cromarty where three are declared a sufficient number to Act. The Sheriff or his deputy Intimates the first diet of their meeting yearly at each parish Church upon the preceding Sunday under the pain of 500 Merks. And the penalty of each days absence from the meeting is 20 Merks to be applyed for Reparing high ways & Bridges act 8 sess. 2 par. d. 7.

* The Sheriffs and Justices of peace &c are impowered at any Time, and Time and Harvest Excepted, to cause Tenants within their Bounds bring Horses Carts Sledges and other Instruments necessary for reparing the high ways, and to appoint wages for their fabrics and Attendance, to be their work days for Man & Horse do not exceed the number of four days yearly, and to pound for each man's Absence from the work to the value of 20 shillings, and for Absence of man & Horse 30 shillings and to apprize the same upon the Ground of the Lands, and therewith to hire others; and to punish the absents personally if they have not poindable Goods. They may take money from those who are liable to work at the Rigeways but by Reason of their distance cannot attend, viz 6 shillings yearly for each man, and 12 shillings for each Horse to be expended on others to work in their place. Heritors in Burgh and Landward in each Shire are required to meet at the ~~said~~ Head Burgh the first Tuesday of June yearly, and to Stent themselves, if needful, not exceeding ten shillings on the 100 pound of valued Rent for the uses of Reparing the high ways Act 16 par. 2 sess. 1. funct. Act 9 par. 2 sess. 2. Ch. 2. (3) The said Justices of peace &c are to see the Right application of all destinations or mortifications to high ways. They may change Incombonient high ways and estimate the damage of parties harmed thereby who are to receive the value in meal from them in order to get satisfaction from the Shire. The Justices of peace are also to call before them all who stretten the high ways and passages to or from any market Town or Sea port or from any Town to the parish Church, or annoy such ways or passages by casting of ditches and Turfs through them, act 8 58 par. 22 §. 6. or break or abuse them by plowing, laying Stones Dung or Rubbish, pooling or damming water thereon or otherways, or ~~also~~ Labourers of Land on the sides of high ways not fenced with dike ditch or Hedge Act 16 par. 2 sess. 1. ch. 2. And to punish & fine the offenders.

(3) Some part of this Section of Penalties are called impressed to the Repairing of High ways as the Rest of those for cutting Heath & pulling up Fences Act 39 sess. 1 par. §. 7.
The Words Plumb trees, or breaking down Hedges, or other Fences, or Bridges, or Bridges, or Bridges

n. 1 * Lyes upon both proportionally to their Respective valuations, and the Sheriffs of both those Shires must convene the Justices of peace & Commissioners of Supply therein to adjust the Expence of such Reparation, who if they do not insist upon a Call from the Sheriffs, may be charged to that effect by general Letters of Horning d. Acts

* If Shires or Burghs don't repair and maintain the Bridges within their several Bounds, but suffer them to fall, they are to be fined in as much as will repair or rebuild them d. acts.

* where toll or customs are collected at Bridges or Causeys, the same is to be imployed in the first place for reparing those Bridges and Causeys d. Act 8. And the Justices of peace & commissioners of Supply are to direct the application of all Destinations and Mortifications to Bridges and Ferries Act 16 par. 2 sess. 1. ch. 2. funct. d. Act 8. Some part of the fines inflicted against the violators of penal laws are also appointed to be applied to the mending Bridges, as the half of the fine for spoiling young Trees, and annoying Inclosures Act 39 sess. 1 par. §. 7.

* A man is not bound to Repair a new Bridge built by himself for the common Good: But the County is Bound to Repair it, if it become of publick conveniency Coke 2 Inst. 701. Hawkins place. Lib. 1 Ch. 77 §2.