

aforesaid, or if attending, shall not perform his reasonable labour, and of every master, mistress or overseer of servants and slaves, who shall incur the penalty aforesaid; and the said overseers of roads shall, once in every six months, call upon each and every of the said persons liable to a fine or fines, and demand the payment of all and singular the sums of money by them so forfeited, and on refusal or neglect to pay the same, the said overseers shall proceed to recover the same before a single magistrate, by due course of law; and the said overseers shall annually render their respective accounts of all fines and forfeitures received by them respectively in virtue of this act to the justices of the levy court, upon oath, or affirmation, and pay the amount thereof in such manner as the said justices shall order and appoint.

SEC. 14. *And be it enacted*, That if any of the overseers so to be appointed shall refuse to act, remove, become disqualified, or die, it shall and may be lawful for any two of the neighbouring justices of the peace to supply every vacancy so happening, by the appointment of another person, and they shall certify every such appointment, under their hands, to the clerk of the county, who shall record the same, and within ten days thereafter shall issue a warrant to the person so appointed, and deliver the same to the sheriff, to be served upon the party as herein before directed.

How vacancies are to be filled.

SEC. 15. *And be it enacted*, That every overseer so to be appointed by virtue of this act shall respectively be allowed a sum, not exceeding ten dollars by the year, for the performance of the several duties required of them by this act, which allowance shall be paid to them by the justices of the levy court out of the fines and forfeitures imposed and levied by this act, and if found to be insufficient for this purpose at the expiration of every year, the deficiency shall be assessed and levied upon the county in the same manner as other public charges.

Overseers' allowance.

SEC. 16. *And be it enacted*, That any of the justices of the peace of the said county, who, upon his own view, or on the information, oath or affirmation, of one or more credible witnesses, shall discover or be satisfied that any bridge, road or causeway, is out of repair, from the neglect of duty of the overseer within whose limits the same shall be, except in time of wheat harvest, shall be authorized to issue his warrant, in the name of the state, against such overseer, directed to the constable of the hundred, and returnable before himself, or some other justice of the peace, who shall proceed to give judgment according to the merits of the case, and if judgment shall be rendered against him for the fine or forfeiture imposed by this act, and if he shall not pay the same, the said justice of the peace may thereupon issue process of execution for the re-

Justice may issue his warrant in certain cases, &c.