

covery thereof, and the same shall be accounted for and paid to the order of the levy court; *Provided nevertheless*, that nothing herein contained shall prevent any of the said overseers offending against the provisions of this act from being presented by the grand jury for any neglect of duty not before punished by any of the justices of the peace as aforesaid.

Justices to receive fines, &c.

SEC. 17. *And be it enacted*, That the justices of the peace respectively shall be authorized and empowered to receive any fine or fines for which they may respectively render judgment against any overseer of the road in said county, and shall account with and pay over to the levy court annually all moneys which they may have respectively received in virtue of this act, under the penalty of paying treble the amount thereof in case of failure or neglect.

On application, road may be turned, &c.

SEC. 18. *And*, whereas it may be proper and necessary to vest a competent power in the justices of the levy court to turn, alter, straighten, extend or lay out, roads in the county aforesaid, where the proprietors of the lands through which the roads intended to be so turned, altered, straightened, extended or laid out, may pass, are willing and capable of consenting to applications of this nature; therefore, *Be it enacted*, That upon the application in writing from all the proprietors of the lands through which any public road or roads may pass, or be prayed to pass, petitioning for the turning, altering, straightening, extending or laying out, a public road or roads, it shall and may be lawful for the justices of the said levy court, upon being satisfied that the granting of such petition will be of public convenience, and they are hereby authorized and empowered, to direct the surveyor of the said county to lay out such road, agreeably to the prayer of such petition, or in such other manner as they shall think most expedient, not exceeding thirty feet in breadth, without the consent of the said proprietors, and to make return of such location with all convenient speed; and after such road shall be surveyed and laid out agreeably to the intentions of this act, the said court shall direct the application for such road, and the order and proceedings thereupon, and the return of the surveyor, to be enrolled among their records, and thereupon and thereafter such road shall be deemed and considered to be a public road, and shall be kept up and repaired as other public roads in the said county; *Provided nevertheless*, that no old road, so to be affected by this act, shall be stopped up until the new road shall be viewed, examined and received, by two justices of the peace, to be appointed by the said court; *And provided also*, that such new road shall be laid out, made and completed, at the proper expense of the parties applying for the same; *And provided further*, that no such application shall affect the lands