

public roads, and to signify the same to him by warrant, under the hand of the clerk of said county, and the seal of office, according to the number and divisions of said roads, as the same shall be ascertained upon their records; and the said justices may adjourn from time to time until the said roads shall be duly ascertained, and supervisors appointed as aforesaid.

Persons appointed and not serving, to be fined.

SEC. 3. *And be it enacted*, That any person appointed a supervisor in virtue of this act, and refusing to act as such, and comply with the requisites thereof, shall forfeit and pay the sum of twenty dollars, to be recoverable in the name of the state, before any justice of the peace of said county, and applied by the levy court toward defraying the county charges; *Provided*, that no one person shall be compelled to act as supervisor, on any of the public roads more than one year in every three years, without his consent.

Proviso.

Death, refusal, &c.; successor; to be notified.

SEC. 4. *And be it enacted*, That if any supervisor appointed under this act, shall refuse to act, remove out of the county, become disqualified, or die, it shall and may be lawful for any two justices of the said levy court, to supply every such vacancy so happening, by the appointment of another suitable person to act as supervisor, under the same penalties and regulations as if he had been appointed by a majority of the said justices; and the said justices shall certify every such appointment, under their hands, to the clerk of said county, within ten days thereafter; and the said clerk shall, within ten days after being so notified thereof, issue a warrant to the person so appointed, and deliver the same to the sheriff of the county aforesaid, to be by him delivered to the person so appointed, or left at his place of residence, within ten days after receiving the same, under the penalty of ten dollars current money for every neglect by the sheriff or clerk respectively; and if any person appointed supervisor as aforesaid, shall not lodge his warrant with the county clerk within fifteen days after he shall receive the same, he shall be considered as accepting the appointment, and may be proceeded against for neglect of duty accordingly.

Repairs; fines.

SEC. 5. *And be it enacted*, That whenever the public roads shall want repairs, except in wheat harvest, it shall be the duty of each supervisor to call on all persons within his district, or as many as he may deem necessary, who shall have paid county taxes, or shall be charged with the same, (except persons owning water-mills over which a public roads leads,) at least two days before he intends working on said roads, and to notify them of his intentions, and the place and hour of meeting, and what tools they must furnish, whose duty it shall be to attend at the hour appointed with such tools as shall be required, with all their able-bodied males which belong to them, or are in