

circuit court of said county, and may be fined at the discretion of the court, and the fines imposed shall likewise be applied to the road fund of his said district.

Ibid. s. 10
Supervisors
may contract
for repairs.

244. The several supervisors shall have power, with the assent of the county commissioners, to contract with the proprietor of any lands adjacent to any public road for keeping said road, or any designated part thereof, in repair for the term of one year; and said contractor shall, during the time covered by his contract, be liable to be proceeded against for any dereliction of duty in respect to repairing said roads in the same manner as is above provided in respect to supervisors, in addition to his liability for breach of his contract.

Ibid. s. 11.
Encroachment
upon, or injury
to roads.

245. If any person shall encroach upon any public road by fences or other obstructions, or by cultivating the same within fifteen feet from the centre, or shall purposely destroy or injure any bridge or culvert, or destroy or injure any guide-post or guide-boards, or dig any ditch or drain across any road, and not keep such ditch or drain secure and well covered, and in good repair for the passage of all vehicles over the same to the full width of said road, or if any person shall drain any water into or upon any public road, each and every such person, for every such offence, and for each and every day any such ditch or drain shall be suffered to remain out of repair and injurious to such road, shall be liable to be sued in an action of debt before a justice of the peace in the name of said commissioners, in which said action the amount recoverable shall not be less than five nor more than fifty dollars, either party having the right of appeal to the circuit court, as in other cases of small debts, and the sums recovered in any such action to be applied in the same manner as hereinbefore provided.

Penalty.

Approved and in force April 4, 1870.