

C H A P.
XXI.

said county, to be and appear before the said supervisors on the premises, at a certain day in the said warrant expressed, which jury, upon their oath, to be administered by any one of the said supervisors, who is hereby authorized to administer the same, shall inquire who is or are the owner or owners of the land, and what damages such owner or owners will sustain by occasion of carrying the said road through such improved ground; and the said supervisors shall return the inquest of the jury, or a certificate of the sum to be paid by agreement, to the justices of their county, who shall assess and levy the money agreed to be paid, or by the jurors assessed, at the time of laying their next county levy, on the taxable inhabitants of their county, to and for the use of the owner of the said land, together with the sheriff's salary of five *per cent.* for collection; which said assessment the sheriff shall collect and levy in the same manner, and at the same rate, as the county levy may by law be collected, and may be paid and discharged at the same rate, in money, as the county levy; and the said sheriff shall be answerable for, and pay the same to the owner and owners of such land.

Or fields in
cultivation.Supervisors to
employ la-
bourers to ac-
complish the
work, &c.

VI. **Provided always, and be it enacted,** That where by agreement and consent, or otherwise, any of the said roads shall be carried in other places than they now pass, through fields or grounds in actual cultivation, that such field or grounds shall not be laid open or used as a public road, till after the usual time of taking off and securing the crop, then growing thereon. And to enable the the said supervisors to accomplish the said work, they, or any two of them, are hereby empowered, in and for their respective district aforesaid, after they shall have carefully surveyed the said roads, and agreed on the necessary alterations therein, either to employ labourers to do the said work, or to contract with others to do the work aforesaid, on convenient parts of the said roads; and the supervisors of the respective districts aforesaid, or any two of them, are also empowered at any time or times, before the first day of January next, to draw their order or orders on the commissioners for emitting bills of credit for the money herein before directed to be expended in their respective district, or such part thereof as may be necessary, and the same dispose of and expend in and towards the necessary expenses of the work aforesaid, and the commissioners aforesaid shall pay the same, and therewith charge the county to which the same shall be so lent.

And may use
timber, &c.

VII. **And be it enacted,** That the supervisors aforesaid, or any of them, or any person contracting with them, or any two of them, or by them, or any two of them, in any manner employed in or for doing the said work, may respectively use such timber and materials in and for doing the said work, as overseers of public roads or highways may or might by law use the same; and if any supervisor, or any person contracting with them, or any two of them, or by them, or any two of them, in any manner employed in and for doing the said work, shall be sued or impleaded for any thing done in pursuance of this act, he may plead the general issue, and give this act and the special matter in evidence in justification.

In case of
death, &c.
others to be
appointed.

VIII. **And be it further enacted,** That if any one of the said supervisors shall happen to die before the work aforesaid shall be accomplished, or shall refuse to act, the two other supervisors of the same district shall and may appoint another person in his stead; and if the supervisors for any district, or any two of them, shall refuse to act, then any three of the justices of the peace for the county in which such district shall be, shall and may, by warrant under their hands and seals, appoint three or two other persons, as the case may require, in their stead.

Supervisors to
render an ac-
count.

IX. **And be it also enacted,** That the supervisors aforesaid shall render to the general assembly at the session next after the expenditure of any of the said monies, and also to the county court which shall be held for their respective county, a true, full, and fair account of all monies by them respectively laid out and expended by virtue of this act, and to whom and for what the same shall have been paid and expended.

X. **And,** for the repayment of the said bills of credit so to be lent and issued to the said counties, together with interest thereon, at the rate of four *per cent.* by the
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