

VI. AND, for the more effectual making of said roads, BE IT ENACTED, That the commissioners aforesaid, in their respective counties, are hereby empowered to appoint one or more supervisors in each county to superintend, direct and contract for, the execution of the same in the most effectual, economical and expeditious manner; and each and every of the supervisors, so appointed, shall give bond, with sufficient security, to be approved of by said commissioners in the county where said supervisors may be appointed, in a penalty of at least double the estimated amount of one year's assessment for the said road or roads in the county in which he shall be appointed; for the faithful discharge of his trust; and such appointments or re-appointments shall be made, and bonds as aforesaid shall be annually renewed, at the times the monies are to be levied; and the supervisors shall lay before the county court of their county, at the last court in each year, just and true accounts, on oath, or affirmation, of all receipts and expenditures of monies by them received and expended in virtue of their appointments, and shall pay the balances, if any, to their successors, if superseded or displaced; and the said supervisors shall respectively be allowed at the rate of five per centum upon the sums of money by them severally received and expended in the execution of this act.

C H R P.
LIII.
Commissioners
to appoint su-
pervisors, &c.

VII. AND, whereas the laying out of said roads may cause damage to the proprietors of lands through which the same may pass, and it is reasonable and just that compensation be made to those who require the same, BE IT ENACTED, That in every case where the same shall be required of the county court, they shall agree with the party injured for the amount of the damages sustained, not exceeding the rate of three pounds current money per acre; but if such agreement does not take place, then the court to whom application shall be made, shall issue their warrant to the sheriff of the county, commanding him to summon and return a jury of twelve good and lawful men of the said county, to be and appear before one or more of the said justices, on the premises, at a certain day in the said warrant to be expressed; which jury, upon their oath, to be administered by the sheriff aforesaid, shall inquire who is or are the owner or owners of the land over which any such road shall pass, and what damages such owner or owners will actually suffer from the passing of the road over the land as aforesaid, taking into due consideration all conveniencies and inconveniencies, advantages and disadvantages, arising from such circumstances, whether by the improvement of an old road or in making a new one; and such sheriff shall return the inquest of the jury aforesaid, or of any eight of them agreeing, under their hands and seals, and attested by his official signature, to the next county court to be held for the county wherein such inquest shall have been taken, and the amount of damages therein expressed shall be paid, by order of the said court, out of the monies to be levied as aforesaid and appropriated to such road; provided, that no new road shall be made through any buildings, enclosed yard, garden or orchard, against the will of the owner, nor shall any field in which grain, hemp, flax, tobacco, or other cultivated vegetables, except grass, shall be growing, be laid open until after the season for collecting and securing the crop; but if it be expedient to lay out any such road through an enclosed yard, garden or orchard, and the owner will consent thereto, then the damages sustained thereby shall be adjusted and paid as in other cases, and the road may be made accordingly.

County courts
to agree for da-
mages, &c.

VIII. AND BE IT ENACTED, That if any person or persons shall presume to alter or change, or in any manner obstruct or encroach on, any of the said roads, or on any part or parts thereof, or to cut down or destroy, deface or injure, any of the bridges, causeways, boundaries, marks, directions, or other establishment thereon, such person or persons, being thereof convicted in the general or any county court, shall be fined, at the discretion of the court, not exceeding ten pounds, according to the nature and degree of the offence; and all fines imposed in such cases shall be appropriated to the purpose of repairing such damages, and improving the road, and shall be paid to, and accounted for, by, the supervisors of the county wherein such damages shall be sustained.

Penalty for al-
tering any road,
&c.

IX. AND BE IT ENACTED, That it shall and may be lawful for the supervisors aforesaid, and persons to be employed by them, to take and carry away any stones, gravel, or earth of a firm quality, that may be found on any land adjoining the roads for which the same may be wanted, without leave of the owner, or making him any compensation therefor; provided, that no stone, gravel, sand or earth, quarried or collected by the owner for his own use or for sale, shall be so taken or applied.

Stones, &c.
may be taken,
&c.

X. AND BE IT ENACTED, That the commissioners aforesaid, or a majority of them in each county, shall have power to appropriate the funds arising under this act to the several roads under their direction, and to anticipate the collection of said tax, by permitting, if expedient, the supervisor or supervisors to accept of labour in lieu thereof, and granting certificates to those by whom such labour may be rendered, to be discounted with the collector of his county in discharge of monies due for that particular tax.

Commissioners
may appropri-
ate funds, &c.