

C H A P.

I.III.

In certain cases judgment may be entered, &c.

III. AND BE IT ENACTED, That in all cases where any collector shall have collected any sum or sums of money for the use of the poor of his county, and shall neglect to pay over the same to the trustees of the said poor, or other person or persons authorized by law to receive the same, at the time required by this act, it shall and may be lawful, and the several county courts of this state are hereby required, upon motion made on behalf of the said trustees of the poor of the respective counties in this state, or other person or persons authorized to receive the money levied for their use, to order a judgment to be entered, and an immediate execution to issue thereon against the person or property of such collector, to levy and compel the payment of such sum of money so due and payable, provided that ten days previous notice of such intended motion be delivered in writing to such collector, or left at his place of abode, and proof thereof be made to the satisfaction of such court to which such application shall be made, and provided also, if such collector shall in person, or by attorney, desire a jury to be impanelled to ascertain the sum in his hands so due and payable, the said court shall direct a jury to be immediately charged, to try and ascertain between the state and the said party, whether the said collector is chargeable with, and liable to pay, any and what sum or sums of money to such trustees, or other person or persons authorized to receive the same for the use of the poor of the said county, and upon such verdict of the jury to pass judgment, in the name of the state, against the said collector, upon which there shall be no writ of error, superseas or appeal, and to award execution thereon as upon all other cases of judgments had in the said court.

Justices may impose any assessment, &c.

IV. AND BE IT ENACTED, That it shall be lawful for the said justices to impose any assessment or rate for the making and finishing necessary repairs to the court-house of their county, not exceeding one hundred pounds current money in any one year, or for making and finishing necessary repairs to their county prison, not exceeding one hundred and fifty pounds like money in any one year, or for the full and complete repair of any one bridge in their county, not exceeding thirty pounds like money in any one year, or for the erecting and building of any one new bridge in their county, not exceeding one hundred pounds like money in any one year.

Bridges may be rebuilt, &c.

V. AND BE IT ENACTED, That if any two or more counties within this state be divided by water, over which there is or are a bridge or bridges now standing, or over which there may have been a bridge or bridges, but which may be now fallen down or decayed, the said bridge or bridges shall be rebuilt or repaired, as the case may require, at the joint and equal expence of said counties so divided by water from each other, and the levy courts in each of said counties so divided by water shall, whenever it shall be necessary to rebuild or repair such bridge or bridges, appoint one commissioner in each of their respective counties, as convenient as may be to said bridge or bridges, to contract with workmen; and the said commissioners shall give at least six weeks previous notice in writing, at the most public places in their respective counties, of the time and place of receiving proposals, and shall proceed to set up the said work publicly to the lowest bidder.

Court of either county neglecting, the other may proceed, &c.

VI. AND BE IT ENACTED, That if the levy court of either county shall in such case neglect or refuse to make such appointment of a commissioner, after one month's previous notice in writing given them by the levy court of the county or counties jointly interested as aforesaid, the levy court of the other county or counties may and shall proceed, on such neglect or refusal, to appoint two or three commissioners in their own county or counties, as the case may require, to make such contract, who shall proceed to contract with the lowest bidder as aforesaid, and the levy court of the county contracting shall transmit an account of the full amount of said work to the levy court of the county or counties refusing or neglecting to appoint a commissioner as aforesaid, and it is hereby declared to be the duty of said levy court or courts so refusing or neglecting to appoint a commissioner, to levy one half, or one third, of the amount, as the case may be, of such expences, upon their county, to be collected as other county taxes are, and the collector shall, as soon as convenient after collecting the same, transmit the amount thereof to the levy court of the county or counties which has or have contracted as aforesaid for said bridge.

Collector entitled to fees, &c.

VII. AND BE IT ENACTED, That if any collector shall proceed to the sale of any goods or chattels to enforce the payment of the county charge, he shall be entitled to receive the same fees as are or shall be established by law, on the service of executions.

By 1797, ch. 90, a provision is made for the sale of land where no personal property can be found.

Justices to appoint constables, &c.

VIII. AND BE IT ENACTED, That the justices of the peace in the several counties of this state, at the time of their meeting to lay the county assessment, shall appoint the constables and overseers of