

Dec. Ses. 1816 bridges exceeding fifteen feet in width) or shall otherwise fail to perform the duties of a supervisor, he shall forfeit and pay a sum of money not exceeding ten dollars for every such offence, to be recovered and applied as aforesaid.

Supervisors may be warranted for neglect. 9. *And be it enacted,* That any justice of the peace of said county who, upon his own view, or upon the information, oath or affirmation, of any one or more credible witnesses, shall discover, or be satisfied, that any bridge, road or causeway, is out of repair from the neglect of duty of the supervisor within whose limits the same shall be, except in time of wheat harvest, shall be authorised to issue his warrant, in the name of the state, against such supervisor, directed to the constable of the hundred, and returnable before himself, or some other justice of the peace for said county, who shall proceed to give judgment according to the merits of the case; and if judgment be rendered against him for any fine not exceeding ten dollars, and he does not pay the same within twenty days, the said justice of the peace may thereupon issue process of execution for the recovery thereof, and the same shall be accounted for, and paid to the order of the levy court of said county, and applied as aforesaid.

Fines to be paid to levy court.

10. *And be it enacted,* That the justices of the peace respectively shall be authorised and empowered to receive any fine or fines for which they may respectively render judgment against any supervisor of the roads in said county, and shall account with and pay over to the levy court annually, all monies which they may have respectively received in virtue of this act, under the penalty of paying treble the amount thereof in case of failure or neglect, to be recovered in the county court, for money had and received, in the name of the state, to be applied as other fines are directed by this act.

Duty of supervisors.

11. *And be it enacted,* That it shall and may be lawful for the several and respective supervisors of the said roads, and they are hereby authorised and empowered, as often as need shall require, to dig, take and remove, any stones, gravel or earth, which may be found on any land adjoining the roads, for which the same may be necessary, and to employ the same in repairing of the said roads, and for the making or repairing of bridges over the heads of rivers, branches, creeks, swamps, or other low marshy and miry places, through or over which the said roads may pass; to cut down, or cause to be cut down, any tree or trees growing on any of the adjacent lands to such place where bridges may be necessary as aforesaid, and the same trees may haul, or carry away, off such lands, and to apply the same to the making of the said bridges, or other necessary repairs or conveniencies on the said roads; *Provided always,* that it shall not be lawful for any supervisor to enter any enclosure for the purpose of obtaining any stones, gravel, earth or timber, for the purposes aforesaid, without the consent of the owner or owners thereof, or if a minor or minors, without the consent of his, her, or their guardians, and that it shall be the duty of each supervisor to make a separate return, on oath, of the timber taken by him for the use of the said roads, and a list of the persons to whom it belonged, with his view of the value thereof, which shall

Proviso.