

Dec. Ses. 1816

Wages for labourers, &c.

Penalty on supervisors neglecting their duty.

— may be warranted, &c.

Fines to be paid to levy court.

fore a magistrate as other small debts are recoverable in this state, and returned by the said supervisor to the said levy court, to be applied as they shall direct.

7. *And be it enacted*, That for the purpose of regulating and establishing wages for labourers, carts and team, the said supervisor may employ able bodied male hands to work on the said roads, if it should be actually necessary, at the rate of sixty-seven cents per day, and for cart and team hauling dirt, timber, or other materials necessary for the repair of the public roads, the sum of one dollar per day; and for every day which each supervisor shall necessarily attend on said roads as supervisor, he shall be entitled to a sum not exceeding one dollar and fifty cents per day.

8. *And be it enacted*, That if any of the supervisors appointed by this act, shall not sufficiently clear, amend, and keep in good order and repair, the public roads within his district, or shall suffer any fallen trees, or other obstructions, to remain in or across any of the said public roads, whereby any cart, wagon or other carriage, may be obstructed for more than three days together, he having notice thereof, or shall neglect to fall all dead trees on either side of the said public roads, whose limbs hang over, and may by their falling injure travellers, or to lop or cut off all limbs or branches of trees hanging or projecting over the road, within fifteen feet above the surface thereof, or shall suffer any of the bridges or causeways to be out of repair, (except framed bridges exceeding twelve 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.

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.

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, 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,