

ten dollars for every day such road or bridges shall be out of order, the same to be recovered before a justice of the peace, in the same manner as fines are laid and recovered against supervisors by section nine; the same to be applied as aforesaid.

Dec. Ses. 1821.

13. AND BE IT ENACTED, That any justice of the peace may lay any of the fines aforesaid, and give judgment for the same, and issue execution thereon as in case of small debts.

Magistrates may lay fines.

14. AND BE IT ENACTED, That if any person or persons shall alter, change, obstruct or encroach upon any of the said roads, or cut down, destroy or purposely injure, any of the bridges or causeways, such person or persons, on being thereof convicted in the county court, shall be fined at the discretion of the said court, in a sum not exceeding fifty dollars, to be applied towards defraying the county charges.

Persons obstructing, &c.) —damages.

15. AND BE IT ENACTED, That if any person or persons shall wish to alter, change or straighten any part of the public roads in said county, they shall petition the levy court of said county, who shall appoint not more than five nor less than three judicious men of said county, not related to the party applying for such alteration, as commissioners, who shall view the old road and the place where the new road is proposed to run, or wished to be made; and if the said commissioners or a majority of them, are of opinion that it would not be a disadvantage to the community at large, they, or a majority of them concurring in opinion, shall have liberty to make, alter and change such road as they may think beneficial to the public; *Provided*, That the said commissioners, before they proceed to perform the duties required by this act, shall take an oath, to be administered by a justice of the peace of said county, that they will faithfully and impartially perform the duties required by this act; and that the person or persons applying for such alteration, shall pay all damages, costs and charges, that shall or may arise from making such alteration; *And provided always*, That it shall not be lawful to shut up, stop or obstruct any road so altered or changed, before the new road shall be made and perfected, and received by the levy court of Worcester county; and it shall be the duty of such commissioners to make a return of their proceedings to the levy court, with a plot of the old road so far as is intended to be altered, and also of the new road; and whenever the return shall be received and confirmed by the levy court, and the new road shall be sufficiently made and opened to the satisfaction of the levy court, the levy court may direct the old road to be stopped, and the new road to be received and kept in repair as other public roads.

Changes—commissioners—their duty—damages—plot.

Proviso.

16. AND BE IT ENACTED, That the justices of the levy court of Worcester county, be; and they are hereby authorised and empowered, on application in writing, signed by the majority of the inhabitants of any neighborhood through which any road so prayed for may pass, to appoint not more than five nor less than three commissioners, who shall be free-holders, and judicious men of said county, not related to the party applying for such road, nor holding land through which the said road shall be opened, and they, or a majority of them shall proceed to lay out the road so as aforesaid ordered by the said levy court to be opened, in the manner and width that the levy court shall have directed, as well as the nature of the ground and other circumstances will admit; *Provided*, The

New roads.

Proviso.