

Dec Ses. 1822

the day of notice and day of meeting, and notify them of his intentions, and the time and place of meeting to work on said roads, what utensils and implements they must bring, with carts and teams, if necessary; whose duty it shall be to furnish one half of their able bodied male hands, if required (except in time of wheat harvest) not under eighteen nor over fifty years of age; and also such utensils and implements, carts and teams as may be required by the said supervisor, if the party called on have or possess them, under the penalty of one dollar current money, each, for every hand, and one dollar like money for each cart and team so required, if default shall be made, to be recovered at the instance of the supervisor making the demand in the name of the state, before a magistrate, as small debts are recoverable in this state; *Provided*, that reasonable and lawful excuses may be allowed by such magistrate at his discretion; and all sums of money so recovered shall be appropriated by the supervisor recovering the same, to the employing of hands to supply the deficiency of labor occasioned by such delinquencies, in which case or cases (but in no other) the said supervisor shall be at liberty to employ such persons as are not taxables nor charged with taxes, until all the money so recovered shall be expended; *And provided always*, that it shall not be lawful for any supervisor appointed under this act, to employ more than half of his own able bodied hands at any one time, nor at any other time than when he calls on the taxables of his district, as herein before directed, to labor in repairing the public roads, except to repair broken bridges or accidental obstructions in or across said roads.

Provisos.

Wages.

6. *And be it enacted*, That for the purpose of regulating and establishing wages for laborers, carts and teams employed in repairing said roads, the following rates shall be allowed, to wit: for every able bodied hand, not under eighteen years, nor over fifty years of age, furnished by a taxable at the request of a supervisor, he shall be allowed and paid by the county levies, the sum of sixty cents current money; and for every cart and team occupied by 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 be necessarily employed in attending on said roads as supervisor, he shall be entitled to two dollars per day; *Provided*, he has under his superintendance on such day not less than eight hands, but if under that number he shall only receive a sum proportionable thereto for the superintendance of such smaller number; the said compensations to the said supervisors to be also considered as in full for his services in warning the hands in, on each occasion.

Neglect of duty.

7. *And be it enacted*, That if any of the supervisors appointed in virtue of this act shall not sufficiently clear, or cause to be cleared, amended, and kept 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, waggon, or other carriage, may be obstructed; for more than three days together, he having notice thereof (except in time of wheat harvest) or shall neglect to fall all dead trees on either side of 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 fifteen feet from abutment to abutment) or shall otherwise fail to perform the duties