

CHAP.
LXX.
Penalty on overseers for neglect of duty, &c.

VI. **And be it enacted,** That if any of the said overseers shall not well and sufficiently clear and amend the said public roads within his proper districts, of not less than the breadth of two rod, nor more than three rod, within a reasonable time after the same shall be out of repair, or shall not streighten the said public roads as marked and bounded by the commissioners hereafter appointed and empowered, when directed, or shall permit or suffer any fallen tree, or other obstruction within his power to remove, to lie in or be across any of the said public roads, whereby any waggon, cart, or other carriage, may be obstructed, for the space of five days together, he having notice thereof, or shall neglect to fall, or cause to be fallen, all dead trees on each side of the said public roads whose limbs hang over the said road, and may, by their falling, injure travellers, or shall suffer any of the bridges or causeways in his said district to be out of repair, or in any other manner fail in the performance of the duty of overseer of the public roads, after having accepted such office, he shall forfeit and pay the sum of thirty shillings current money for every offence, to be recovered and applied as aforesaid.

Overseers to give ten days notice, &c.

VII. **And be it enacted,** That the said overseers shall and they are hereby required, before they begin to streighten, amend or repair, any road within their several and respective districts, or to make or repair any bridge or causeway, to give at least ten days notice of their intention to the inhabitants of their districts, by advertisement set up at the most convenient, public, and frequented places in such district, in order that the said inhabitants may have an opportunity of hiring labourers to the said overseer, or labour themselves in and upon the said roads, bridges or causeways; and each overseer shall be entitled to six shillings *per day* for each day he shall attend.

Justices to apportion the money levied, &c.

VIII. **And be it enacted,** That the said justices, at their said meeting in March, and at their levy court in every year thereafter, shall apportion the sum of money levied as aforesaid in such proportion as they shall think proper, and have such sum expressed in the several warrants issued as aforesaid, and no overseer shall be responsible or punishable for any neglect of the said public roads, after expending such proportion as expressed in his warrant; and the said overseers shall render a true and perfect account, on oath or affirmation, of all persons employed by them respectively to labour on the said public roads, and of the wages allowed, and the number of days they attended respectively in discharging of the said trust, and other expences; and the said justices, or a majority of them present, at their levy court aforesaid, having examined and approved of the same, shall draw their order on the collector, requiring him to settle and pay, by discount for public taxes or otherways (as the case may be) to every person mentioned in such order, the sum due him, and such collector shall be allowed such order or orders in his settlement with the said court; and if any surplus shall remain of the assessment for the public roads aforesaid, after allowing the account produced by the overseers aforesaid for monies by them expended, such remainder shall be applied to the use of the county.

Commissioners appointed, &c.

IX. **And be it enacted,** That Alexander Rigdon, John Stump, John Carlisle, John Weston, Samuel Raine, John Tredway and James Johnson, be and they are hereby appointed commissioners for the purpose of laying out the roads aforesaid; and the said commissioners, or a major part of them, appointed as aforesaid, may proceed to lay out the aforesaid roads, and streighten, mark and bound, the old roads, and execute all the powers and authorities of commissioners under this act; and if any of the said commissioners should die, or refuse to act, the said court, or any two justices of the peace most convenient, in the recess of the said court, may fill up the vacancy.

Who shall examine the roads, &c.

X. **And be it enacted,** That the said commissioners shall examine, survey, lay out and sufficiently mark, the roads before expressed in this act, and may employ a fit and proper person as surveyor for the purpose, not allowing such surveyor more than ten shillings *per day* for his services; and such public roads shall be, by the said commissioners, laid out, streightened, marked and bounded, not less than