

high by the Commissioners of Roads, may, after notice in writing to Commissioners, appeal to the next General Sessions for the County; if the appeal be sustained, the Sessions may relieve him by deducting the surplus from the amount of statute labour to be performed by him the next year.

41. No appeal shall be allowed unless the appellant, within one month after notice of assessment or summons to work, leave a memorandum with the Clerk of the Peace, or with a Commissioner of Roads to be transmitted to him, which memorandum shall be accompanied with an affidavit to the following effect:—I, A. B., of , do make oath that the whole of the property, real and personal, held by me, or by any person in trust for me, does not exceed , and that my whole yearly income does not exceed

A. B.

Sworn before me, C. D., J. Peace.

42. Every Commissioner and Surveyor of Roads, for any neglect of duties imposed upon him by this Act, shall be liable for every offence to a penalty of not less than eight dollars nor more than twenty dollars, to be recovered on the complaint of any freeholder; one half to be paid to the person suing for and recovering the same, and the other half to be applied for the improvement of the roads in the district where the offence was committed.

43. If any Commissioner of Roads shall neglect or refuse to render his account for all moneys received by him and work done under his direction, or shall retain in his hands any moneys contrary to the provisions of this Act, or not properly expend the same, any General Sessions may order him to be brought before them, and the officer receiving such order shall execute the same according to the exigency thereof: The Sessions, on such Commissioner being brought before them, may, if they see fit, commit him to gaol until he make due satisfaction, unless on cause shewn they deem it proper to discharge him.

44. The General Sessions of the Peace in the several Counties shall pay to Constables and other officers, their reasonable fees for services performed under this Act, not otherwise provided for.

45. Prosecutions and proceedings against delinquents for any neglect to pay the commutation money, or to perform work as required by the twenty third, twenty fourth, twenty fifth, twenty sixth, twenty seventh, and twenty ninth Sections of this Act, shall be on complaint of the Commissioners, and in their name of office, and the proceedings shall be regulated as nearly as may be by the law in force relating to Actions before Justices of the Peace in Civil Suits; and no such proceedings shall cease by reason of any change of Commissioners, but may be continued by succeeding Commissioners.

46. In all actions for the recovery of fines or penalties, or other moneys under this Act, the party may be held to bail on the oath of any Commissioner of Roads.

47. Every prosecution for any of the forfeitures mentioned in this Act, shall be commenced within six months after the offence.

48. Nothing contained in this Act shall interfere with any special or local laws now in force, relating to the applications of the statute labour in any City, Town, or Parish. In any Parish in which any local law may be in force regarding highways, this Act to be in full force when it does not interfere with the provisions of said local Act.

49. In incorporated Counties, the County Council may in the manner provided by any law relating to Municipal authorities, make such bye laws as they deem necessary to carry into effect the objects contemplated by this Act, and generally to provide for the repairing, cleaning, improving and maintaining the roads in the County or any part thereof, and provide therefor either by an assessment on the poll, property and income of the inhabitants, by a statute labour impost, or otherwise, or raise such sum as they require for that purpose, in such amounts as they deem necessary, and in the manner provided by any laws in force for levying, assessing and collecting County or Parish rates, and may enforce the observance of any laws by such penalties as they may prescribe.

The following, or words to the like effect, may be among the forms of proceedings:—

*Precept to Collector.*

To any Constable of the Parish of

You are hereby required to collect from the several delinquents named in the annexed Schedule of Assessment for road work, the sums set against their names respectively, and to pay the same when collected to the Commissioners of Roads for the said Parish.—Dated the      day of      186 .

A. B. }  
C. D. } *Commissioners.*  
E. F. }

*Names of Delinquents.*

L. M.	-	-	-	-	-	\$1 60
N. O.	-	-	-	-	-	2 40
P. Q.	-	-	-	-	-	4 80
R. S.	-	-	-	-	-	4 80

*Notice by Collector in Newspaper.*

The undermentioned persons, assessed for Road work in the Parish of , in the County of , are required to pay to the Subscriber their respective assessments, with the costs of advertising, otherwise legal proceedings will be taken against their real estate, situate in the said Parish, for payment of the same, at the end of three months.—Dated the      day of      186 .

Names.	Amount.
N. O.,	- - - - - \$2 40
R. S.,	- - - - - 4 80

*Form of Summons.*

County of , ss.

To any Constable of the Parish of

Summon N. O., to appear before me at my office in said Parish, on the      day of      at the hour of      to answer the complaint of the Commissioners of Roads for said Parish, for      dollars and      cents, for neglect to perform road work, and make return hereof forthwith, as by law directed.—Dated the      day of      186 .

G. H., *Justice of the Peace.*

*Form of Capias.*

County of , ss.

To any Constable of the Parish of

You are hereby required to take the body of N. O., and him safely keep till he shall give good bail, to answer the complaint of the Commissioner of Roads for said Parish, for      dollars and      cents for neglect to perform road work, and notify the defendant that the cause will be heard before me at my Office on the      day of      at the hour of      ; in default