

to employ the same in repairing of the said roads ; and for the making or repairing of bridges over the heads of rivers, branches, creeks, swamps or other low, marshy and miry places, through or over which the said roads may pass, to cut down, or cause to be cut down, any tree or trees, (fruit and ornamental trees always excepted) standing or growing on any of the lands adjacent to such place where bridges may be necessary as aforesaid, and the same trees to maul or split, and carry away off such lands, and apply the same to the making or repairing of the said bridges or other necessary repairs or conveniences on the said roads ; *Provided always*, that it shall not be lawful for any supervisor to enter any enclosure for the purpose of obtaining any stones, gravel, earth or timber for the purpose aforesaid, without the consent of the owner or owners thereof, or if the owner or owners be a minor or minors, then without the consent of his, her, or their guardian or guardians ; and that it shall be the duty of each supervisor to make a separate return, on oath, of the timbers taken by him for the use of the said roads, and a list of the persons to whom it belonged, with his estimate of the value thereof, which shall be levied on the assessable property of said county, for the use of the person or persons to whom it belonged, and collected as other county charges are ; and it shall be the duty of each supervisor to render to the said levy court, annually, a true account of all work done on said roads, by whom done (being taxables and actually charged with taxes) in order that the said person or persons, who shall have thus worked or laboured on the road, or shall have furnished timber for the repairs of the same, shall be credited for the same in their respective county charges. Proviso.  
Account.

SEC. 9. *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 said court, in a sum not exceeding fifty dollars, to be applied towards defraying the county charges. Penalty for  
injuring  
roads, &c.

SEC. 10. *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 thereupon shall appoint, not more than five nor less than three judicious men of said county, not related to the party or parties 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, shall be of opinion that it would not be a disadvantage to the community at large, nor materially injure any individual, they, or a majority of them concurring in opinion, shall have full power and authority to Roads may  
be changed.