

(oath or affirmation,) of any one or more credible witnesses, shall discover, or be satisfied, that any bridge, road or causeway is out of repair from the neglect of duty of the supervisor within whose limits the same shall be, (except in time of wheat harvest) shall be authorized to issue his warrant, in the name of the state, against such supervisor, directed to the constable of the hundred, and returnable before himself or some other justice of the peace for said county, who shall proceed to give judgment according to the merits of the case; and if judgment be rendered against him for any fine not exceeding ten dollars, and he does not pay the same within twenty days, the said justice of the peace may thereupon issue process of execution for the recovery thereof, and the same shall be accounted for and paid to the order of the levy court of said county, and applied as aforesaid.

May take materials for repairs; value.

SEC. 10. *And be it enacted,* That it shall and may be lawful for the several and respective supervisors of the said roads, and they are hereby authorized and empowered, as often as need shall require, to dig, take and remove any stones, gravel or earth, which may be found on any land adjoining the roads for which the same may be necessary, and to employ the same in repairing 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 growing on any of the adjacent lands to such place where bridges may be necessary as aforesaid and the same trees may maul or carry away off such lands; and to apply the same to the making 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 stone, gravel, earth or timber, for the purposes aforesaid, without the consent of the owner or owners thereof, or if a minor or minors, without the consent of his, her or their guardians; and that it shall be the duty of each supervisor to make a separate return on oath, of the timber taken by him for the use of the said roads, and a list of the persons to whom it belonged, with his view of the value thereof, which shall be levied on the assessable property of the said county, for the use of the person or persons to whom it belonged, and collected as other county charges are.

Proviso.

Framed bridges.

SEC. 11. *And be it enacted,* That it shall be the duty of the levy court of said county, and they are hereby directed to keep up the necessary repairs of all framed bridges in said county as they have before been kept up.

Water-mills.

SEC. 12. *And be it enacted,* That all owners of water-mills over which public roads pass, shall be bound to keep in repair