

## CHAP. 54.

allow or direct the said road to be of a less width, and to make and keep good and substantial bridges over all the heads of rivers, creeks, branches and swamps, where the same shall be necessary, for the convenient and easy passage of travellers, with their wagons, carts, carriages, horses and cattle, and to remove all nuisances which may obstruct or annoy their passage, in well and sufficiently to causeway all and singular such places in and upon the said roads as shall require the same.

Penalty for neglect.

6. AND BE IT ENACTED. That if any of the said overseers shall not well and sufficiently clear, grub, amend and repair, the said several and respective roads committed to their charge, within a reasonable time after the same shall be out of repair, or shall not make and keep in repair good and substantial bridges over the heads of rivers, creeks, branches or swamps, where the same shall be necessary as aforesaid, or shall not remove all nuisances from the said roads, or shall not well and sufficiently causeway all and singular such places in and upon the said roads as shall require the same, or shall permit or suffer any fallen trees, or other obstruction, to remain in or across any of the said public roads for the space of two days after notice thereof, or shall neglect to fell, or cause to be felled and removed, all decayed or dead trees on either side of the said public roads, whose limits, or any of them, hang over the same, and may by their falling injure travellers, or shall not lop and cut off all limbs or branches of trees hanging or projecting over the said roads, within fifteen feet above the surface thereof, or shall in any other manner fail or neglect to perform the duties of an overseer of the said roads, according to the directions of this act, every such overseer, so failing or neglecting, shall forfeit and pay the sum of five dollars for every offence, except in the time of wheat harvest.

May remove stones, gravel or earth, in repair of roads.

7. AND BE IT ENACTED, That it shall and may be lawful for the several and respective overseers of the said roads, and they are hereby authorised and empowered, as often as need shall require, to dig, take and remove, any stones, gravel, or earth of firm quality, which may be found on any land adjoining the roads for which the same may be necessary, and to employ the same in the repairing of the said roads; and for the making or repairing of bridges over the heads of rivers, creeks, branches, swamps, or other low and miry places, through and 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 next adjacent lands to such places where bridges may be necessary as aforesaid, and the same trees to haul and carry away from off such lands, and to apply the same to the making or repairing of the said bridges; *Provided*, that it shall be the duty of each and every overseer aforesaid to render a true account, (certified under their hands and seals respectively,) of all and singular such tree or trees by them cut down and taken for the purpose aforesaid, with a description of the size and quality of such tree or trees, together with their estimation of the value thereof, to the owner, tenant or overseer, of the lands from whence the same shall have been taken, and to return a duplicate of such account, on oath, to the next levy court of the county, in order that the justices of said court may be enabled to estimate the real value thereof, to be allowed or paid to such owner or owners in such manner as said justices shall appoint and direct.

Proviso.