

shall suffer any fallen trees, or other obstructions, to remain in or across any of the said public roads, whereby any cart, wagon, or other carriage, may be obstructed for more than three days together, he having notice thereof, or shall neglect to fall all dead trees on either side of the said public roads, whose limbs hang over and may by their falling injure travellers, or to lop or cut off all limbs or branches of trees hanging or projecting over the road, within fifteen feet above the surface thereof, or shall suffer any of the bridges or causeways to be out of repair, (except framed bridges exceeding twelve feet in width,) or shall neglect to make and keep in repair bridges for foot travellers, where necessary, or shall otherwise fail to perform the duties of a supervisor, he shall forfeit and pay a sum of money not exceeding ten dollars for every such offence, to be recovered and applied as aforesaid.

8. AND BE IT ENACTED, That any justice of the peace of said county, who upon his own view, or upon the information, 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 authorised 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.

How to be recovered

9. 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 authorised 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 conveniencies 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

Stone, gravel, &c. may be removed

Provided