

OHAP. 365

Unlawful to
place
obstructions
upon any
road, etc.

Guilty of mis-
demeanor.

Section 138 D. It shall not be lawful for any person to place any obstruction upon any of the public highways, roads, bridges or alleys of Carroll county, or to interfere with or obstruct the ditches or drains thereof, or encroach upon said highways, roads and alleys with fences, buildings or anything else which would tend to interfere with travel thereon; nor shall it be lawful for any person or corporation, its officers, agents or employees engaged in the business of a common carrier, to suffer or permit his or its engines, tenders or cars or portion thereof to stand on or obstruct any street or highway in Carroll county where it crosses a railroad for a longer period than five minutes at any one time or in shutting to obstruct public traffic over a street or highway for a longer period than five minutes at any one time; any person or corporation violating the provisions of this section, or any of its officers, agents or employes, who have under or subject to his or their control, management or direction any such vehicle, engine, tender or car which, or any portion of which, is allowed to stand on said street or highway or obstruct traffic longer than the time allowed by this section, shall be guilty of a misdemeanor, and upon conviction thereof by any justice of the peace exercising criminal jurisdiction in Carroll county, or by the Circuit Court thereof upon indictment, shall be fined in an amount not less than one nor more than one hundred dollars for each offense, and the corporation shall also be liable for each such violation to a like penalty. All persons arrested under this section shall have the right to elect that his case be sent to the Circuit Court for trial by jury; the fines collected under this section shall be paid into the general road fund of the county, and it shall be the duty of all peace officers and all road officials of the county to enforce the provisions of this Act.

Repeal.

SEC. 2. *And be it enacted,* That all local laws of Carroll county inconsistent with this Act be and the same are hereby repealed except such as relate to the payment of a portion of the special road tax to incorporate towns.

How
construed.

SEC. 3. *And be it enacted,* That nothing in this Act shall be construed or considered in abridgement of the powers over roads, drains and bridges given by the general laws of this State to County Commissioners except where the same is in express conflict with the provisions of this Act.