

SEC. 9. Act to take effect after passage. This act shall take effect from and after its passage.

Approved, June 10th, 1845.

CHAPTER 27.

OBSTRUCTION OF ROADS PUNISHED.

AN ACT to prevent and punish the obstruction of public roads and highways.

Be it enacted by the Council and House of Representatives of the Territory of Iowa:

SECTION 1. Injuring road, fine of \$10—imprisonment, if not paid. That if any person shall obstruct any public road or highway in this territory by felling any tree or trees across the same, or by encroaching upon, or fencing, or ploughing up the same, or by placing any other obstruction thereon, or who shall destroy or injure any bridge or causeway, or remove any plank or timber therefrom without being legally authorized so to do, [*] nor less than ten dollars, and shall be imprisoned in the county jail until the fine and costs are paid.

[49] **SEC. 2. Sheriff to order person committing injury, to repair.** That in every case where a highway shall have been laid out, and the same has been, or shall be, obstructed as aforesaid, the sheriff of the proper county, shall, on being notified thereof, order such obstruction to be removed, which order shall be reduced to writing and signed by the sheriff, and a copy thereof served upon the person charged with having made or caused the same.

SEC. 3. If not done in six days, sheriff to do it, and the guilty person to pay costs. That if such removal shall not be made in accordance with such order, within six days after the service of the same, it shall then be the duty of the sheriff to take with him such assistance as may be necessary, and proceed without delay, to remove such obstruction; and the person guilty of making the same, shall pay all costs and expenses of said removal.

SEC. 4. Fees of sheriff for his duties. That the sheriff, for rendering the services required by this act, shall be entitled to receive the following fees, to-wit: for making out order of removal, one dollar; for serving same on each defendant, fifty cents, and mileage as now established by law; for superintending removal, two dollars per day, and for each person employed to assist him, one dollar per day.

SEC. 5. Conflicting acts repealed. That all the acts and parts of acts which conflict with this act, be, and the same are, hereby repealed.

SEC. 6. Takes effect September 1st, 1845. This act to take effect and be in force from and after the first day of September next.

Approved, June 11th, 1845.

*(Omission in the original enrolled act.)