

XLV. And be it enacted, That it shall be the duty of the Surveyors and Overseers of highways, within the time limited in the next but one foregoing section, to cause to be destroyed or cut down by the persons or companies bound to make or keep in repair the highways, by-roads, canal banks, rail-road lands, and all public works and places whatever, in their respective divisions, all weeds growing on highways, by-roads, canal banks, rail-road lands, and all public works and places whatever, in their whole width to the fences inclosing such highways or roads, under the same penalties on the said Surveyors or Overseers, and persons bound to make and keep and repair the said highways and by-roads, as are provided in the Acts now in force, for neglect or default in keeping such highways and roads in repair, and such penalties shall be recoverable in the same manner.

Surveyors to cause weeds growing on highways to be destroyed.

XLVI. And be it enacted, That any person in the employment of Incorporated Companies or of any other party, and receiving moneys on his or their behalf shall be liable to prosecution for penalties under this Act, and shall be answerable as though he were proprietor of the land.

Persons employed by Companies liable for penalties.

XLVII. And whereas it also frequently happens that animals dying of disease or otherwise, remain exposed in public or private roads, fields and other places, whereby travellers are incommoded and exposed to danger, and dangerous disease may be produced: Be it therefore enacted, That the owners of any such animal of what kind soever, who shall refuse or neglect to bury the same at least three feet under ground, and to cover the same with two feet of earth at least, shall incur a penalty of not more than Ten Shillings currency, nor less than Five Shillings currency.

Dead animals to be buried.

See sect. 51, as to mode of enforcing penalties.

XLVIII. And whereas it also frequently happens that animals dying of disease or otherwise are thrown into brooks, rivulets and rivers; and whereas individuals are in the habit of carrying filth in summer, and more particularly in winter, into the brooks, rivulets and rivers, and upon ice of the said brooks, rivulets and rivers: Be it therefore enacted, That every person who shall be convicted, on the oath of a credible witness other than the informer, of having so thrown any such animal, or so carted any such filth (unless in or to a place appointed for that purpose by the competent local authorities) shall incur a penalty of not more than Twenty Shillings currency, nor less than Ten Shillings currency, in addition to all damages: Provided that in all cases where the owners or the offending parties are not known or cannot be reached, then it shall be the duty of the Surveyors and Overseers of roads, within their respective divisions, to bury such animal so found in public or private roads, fields or other places, or in brooks, rivulets or rivers, or to remove such filth, within twenty-four hours after he shall have been informed of the existence of such

Penalty for throwing filth into brooks, &c.

See sect. 51, as to mode of enforcing penalties.