

## STATE vs. BROOKS.

See *The State vs. Stroope, ante.*

*Error to Clark Circuit Court.*

HON. LEN. G. GREEN, Circuit Judge.

HOLLOWELL, Attorney General, for the State.

GARLAND & RANDOLPH, contra.

Mr. Justice COMPTON delivered the opinion of the Court.

This was an indictment in the Clark Circuit Court, against John Brooks, as overseer of the road. He was acquitted, and the State appealed.

The only question involved in this case is the same as that decided in *The State vs. Stroope*, at the present term. The judgment must be reversed, and the case remanded for further proceedings.