

commissioners shall act upon such application in the same manner as if the applicant owned land in such county, and had applied for a private road therefrom.

36. On application to the county commissioners by the owner of any quarry or mine, for a private road thereto, the same proceedings shall be had as are prescribed for granting private roads to farms; *Provided*, the county commissioners be satisfied that the working of the stone quarry to which the road is prayed for, will not injure or endanger any dwelling house, tavern house or out house attached thereto.

37 In granting a road under the preceding section, the county commissioners may prescribe a period and terms when and upon which the said road shall cease, and may be shut up; or when, for the continuance of said road, it shall be necessary to have, at the discretion of the said county commissioners, the same renewed.

38. Any owner of a mill, factory, distillery, quarry, or lime kiln, situated within five hundred yards of any rail road, may apply to the county commissioners of the county to lay out and open a private road from such mill, factory, distillery, quarry, or kiln, to the most convenient place for intersecting such rail road; and on such application, the county commissioners shall proceed in the same manner, and with the same powers, as if such application were for a private road to a farm.

39. If an applicant for a road under the preceding section shall state in his application that he intends to lay a railway on such road, the commissioners appointed to assess the damages which any person will sustain by opening such road, shall take into consideration the additional damage, (if any,) which would be caused by the construction of such rail road; and shall determine the places at which crossings shall be made over such rail road, for the convenience of the owners of the land on either side of such private road, and shall specify the same in their return to the county commissioners.

40. Any person who has obtained a private road under the last two preceding sections, may lay a railway thereon, and may, with the consent of the owners of any rail road, connect the same therewith; *Provided*, that the damages assessed as aforesaid be paid to the parties thereto, and that the crossings required