

shall be considered as the private way of such person, who shall keep open and repair the same at his own expense.

Id s 34
1834, c 253, s. 1.
Penalty for
obstructing

48. No person shall stop, or change, or in any manner obstruct such private road, under the penalty of ten dollars for every such offence.

Id s 35
1839, c 18
Where appli-
cant owns lands
adjoining
another county

49. Where a person owns lands adjoining another county, and desires a private road through lands in such adjoining county, he may apply to the county commissioners of the county where the lands lie, through which he desires to pass; and the said county 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

Id s 36
1842, c 292, s 1
Application by
owner of quarry
or mine

50. 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.

Id s 37
1832, c 292, s 1
Commissioners
may prescribe
period and
terms of ceas-
ing or continu-
ance of road

51. 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.

1866, c 105
Owner of mill,
etc., may apply
for opening
road

52. Any owner or owners of a mill, factory, distillery, quarry, or lime-kiln, situated within one mile of any railroad, may apply to the county commissioners of the county to lay out and open a private road from each mill, factory, distillery, quarry, or lime-kiln, to the most convenient place for intersecting such railroad, 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.

Art 28, s 39
1836, c 255, s 2.
Application to
lay railway on
road

53. 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 railroad; and shall determine the places at which crossings shall be made over such railroad, 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.

Id s 40
1836, c 255, s 2
Terms upon
which granted

54. 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 railroad, connect the same therewith; *provided*, that the damages assessed as aforesaid be paid to the parties thereto, and that the crossings required to be made in