

book or journal of proceedings of said corporation; the location of the bed of any part of said county road may be changed by said corporation, for the purpose of a better construction of said turnpike, or plank road, or passenger railway; provided, the land to be occupied be obtained by agreement with the owners thereof, or by condemnation; at least fifteen feet in width of the bed of any turnpike road shall be covered with broken stone or gravel, or other hard or durable materials, to the depth of at least twelve inches, unless the natural bed be hard; and the bed of any plank road shall be well and securely laid and covered with plank or wood for the same width.

1882, ch. 456, sec. 2.

234. In all cases when any passenger railway company uses the roadbed or any portion thereof of any turnpike, street or road in any county in this State, it shall, at all times, keep in good and proper repair, not only the portions of said turnpike, street or road which may be embraced between the rails of its track, but also that part which shall extend for a distance of two feet on either side of said rails; and in case of refusal or neglect to comply with the provisions of this section within five days after due notice in writing shall have been given by the county commissioners of the county in which said passenger railway has its tracks, then it shall be subject to a penalty or fine of ten dollars a day for each and every day of such refusal or neglect to repair and put in order any such turnpike, street or road; said fine to be recovered by suit before any justice of the peace of said county, in the name of the county commissioners of said county.

1868, ch. 471, sec. 108.

235. When any turnpike, or plank road, or passenger railway, shall have been finished one mile in length, the president and directors shall report to the county commissioners of the county in which it may lie, under the oath of the president and a majority of the directors, and the treasurer of the corporation, the actual cost of said road, so far as finished; and thereupon the county commissioners shall appoint three citizens of the county to examine said road, and determine whether the same is constructed in such manner as will subserve the public interests for