

42-352. Bridges by owner of land for own use. Every person owning, leasing or controlling any land whereon and over, through or across which shall be located and constructed any canal, ditch, or other such works, shall have the right to construct any necessary bridge or bridges over or across the same on said land for his own use and convenience, and to construct approaches thereto, and to use the same; and the proprietors of such works shall in nowise interfere with such rights, nor unnecessarily remove or obstruct any such bridge or approach thereto, nor willfully or negligently damage the same.

Such proprietors may, when necessary, temporarily remove any such bridge for the purpose of cleansing, repairing or enlarging such works, and shall, upon the completion of such cleansing, repairing or enlargement, forthwith replace such bridge: Provided, That such bridge shall have been so constructed as to admit of its removal and replacement without damage by the exercise of ordinary care: And provided further, That no such bridge shall be so constructed as to break down, injure or weaken any part of such works, nor so as to in anywise obstruct the flow of water therein, or the operation thereof.

History: L. 1891, ch. 133, art. 4, § 32; May 20; R.S. 1923, 42-352.