

made to the owners of the lands through which such ditch shall pass, which compensation, together with all the expences attending the commission, shall be paid by the person or persons applying for such commission, and the ditch, when cut, shall be kept open and repaired at the expence of the person or persons who may apply for the same.

C H A P.
III.

VI. **And be it enacted,** That after any way for a ditch shall be laid out agreeably to this act, the court shall direct the application for such way for a ditch, and the return thereof, to be recorded at the expence of the party applying for the same, and thereupon and thereafter the privilege of venting and running off water through the same shall be vested in the person or persons applying for and paying for the same, and to their heirs or assigns for ever.

Application,
&c. to be re-
corded, &c.

VII. **And be it enacted,** That it shall not be lawful for any person or persons to stop up or change, or in any manner to impede, the flowing of the water in any ditch cut under this act, under the penalty of five pounds for every such offence to the party injured, to be recovered before a single magistrate: Provided always, that the owner or owners of any lands through which a ditch, laid out as aforesaid, may run, shall not be debarred the privilege of crossing the said ditch with convenient bridges, and the necessary fences for enclosing and dividing his lands.

Penalty on
persons stop-
ping the wa-
ter, &c.

VIII. **And,** whereas the natural drains, sinks and branches, are frequently choked up by the falling down of trees, or other obstructions, so as to occasion the adjacent land to be overflowed with water, **Be it enacted,** That the person or persons, whose lands, in the counties aforesaid, shall be overflowed with water in consequence of impediments from the falling of trees, or the floating of timber, or other obstructions, across any natural drain, sink or branch, may give notice to the owner of the land on which such impediment may be, and if he shall refuse or neglect to remove the same after two days notice, then it shall be lawful for the person or persons, whose lands may be overflowed as aforesaid, to cause the said impediment to be removed.

When lands
are overflow-
ed, notice to
be given, &c.

IX. **Provided always, and be it enacted,** That nothing in this act shall be construed to affect the rights of the owners of water-mills, nor shall any commissioner, under this act, have power to lay out a ditch to draw off the water from any water-mill.

Provido.

X. **And be it enacted,** That each commissioner shall be entitled to seven shillings and six-pence for every day he shall attend in the execution of such commission; that any person, acting as surveyor, shall receive such *per diem* allowance as shall be adjudged by the commissioners, not exceeding fifteen shillings for every day he shall necessarily be employed; that each chain-carrier shall be entitled to receive five shillings; to be paid by the person at whose request the service shall be performed, and, if necessary, attachment shall be issued by the county court to compel such payment.

Allowance to
commission-
ers, &c.

C H A P. IV.

An ACT to enable the honourable John Eager Howard, Esquire, to convey to the vestry of Saint Paul's parish, in Baltimore county, and their successors, a parcel of ground adjoining the parsonage lot, near Baltimore-town, for the purposes therein mentioned.

Passed De-
cember 14.

WHEREAS, the vestry of Saint Paul's parish, in Baltimore county, by their humble petition to this general assembly have set forth, that they have built a parsonage house on a lot of ground in Baltimore-town, for the use and residence of the minister of the said parish for the time being, and are carrying on the building of the offices belonging to the same; and that in order to complete the said buildings it will be necessary to have an addition of a piece of ground adjoining the said lot of ground, beginning at the north-west corner

Preamble.

corner