

DEC. SESS. 1813. construed to extend to any suit or action now pending in any court, or before any justice of the peace in the state of Maryland.

CHAPTER 85.

Passed Jan. 20, 1814. *An act to authorise the sale of the right of cutting a mill-race through the land of Richard Simperts, a minor, in Cecil county.*

Preamble.

WHEREAS, it is represented to this general assembly by the petition of William Hollingsworth, (son of Zebulon,) that he is possessed of an advantageous situation for a manufacturing establishment upon the waters of little Elk in Cecil county, but that in order to the improvement of the same, it is necessary to open a mill race through a small piece of land belonging to Richard Simperts, a minor: *And whereas*, the said petitioner hath agreed to make such a liberal compensation for the privilege of the said race as fully meets with the approbation of the guardian and nearest relations of said minor, as well as the said minor himself, who is about seventeen years of age. *And whereas*, it is highly expedient for the legislature to give all proper encouragement to undertakings of this kind: *Therefore*,

May open a mill-race.

Section 1. BE IT ENACTED by the General Assembly of Maryland, That it shall and may be lawful for the said William Hollingsworth, his heirs and assigns, to open and make a mill race through the lands of the said Richard Simperts, so as to draw the water of little Elk through the same for the purpose of a milling or manufacturing establishment, *Provided*, the same shall not exceed thirty feet in width, and at all times to repair the same when repair shall be necessary, and for such purpose shall have free ingress and egress with the necessary people and implements.

Proviso.

Right vested.

2 AND BE IT ENACTED, That upon the payment of the sum hereinafter provided to be paid, and upon the cutting and opening the said mill-race by the said William Hollingsworth, his heirs or assigns, an absolute estate in fee simple in the said race, and privilege shall be vested in the said William Hollingsworth, his heirs and assigns forever: *Provided always*, AND BE IT ENACTED, That it shall and may be lawful for the said Richard Simperts, his heirs or assigns, to erect such fence or fences across the said race as may be found necessary to inclose the fields belonging to his farm aforesaid, not obstructing the free course of the water through said race: *And provided also*, that before it shall be lawful for the said William Hollingsworth, his heirs or assigns, to commence the cutting or opening the said mill race, he or they shall pay unto the guardian of the said Richard Simperts, for his use, the sum of fifteen hundred dollars current money, or such sum as is herein after provided.

Proviso.