

CHAP. 150. majority of them, may judge most proper to carry off the water from the said branch, and reduce the same to dry land; and the power and authority of said directors as to be chosen shall continue and be in force until the next annual election of directors.

Costs to be paid by proprietors

2. AND BE IT ENACTED, That the cost, charges and expenses, of cutting and opening said ditch or drain, shall be paid by the respective proprietors of the same, each paying for the cutting and opening the said drain or ditch through his own land, except where it shall so happen that two or more of the said proprietors hold parts of the said branch through which the said ditch or drain shall be made, adjoining each other, part on one side thereof and part on the other, in which case each shall pay in proportion to the part he shall or may hold.

Directors authorised to cut and complete drain

3. AND BE IT ENACTED, That the said directors, or any two of them, shall have full power and authority at any time thereafter, to cut, open and complete, the said drain or ditch, and also from time to time to repair, cleanse and keep open, and in good order, the said ditch or drain so to be opened and cut in virtue of this act, at the expense of the said proprietors, in the same proportion that the expenses of cutting and opening the said ditch or drain are to be paid; and for the purpose of cutting and opening the said ditch or drain, in the first instance, and of repairing and cleansing the same when cut and opened, the said directors, or any two of them, are hereby authorised to apportion what they may conceive the expense thereof will amount to, and demand and receive such proportions respectively from the said proprietors, before or at any time after the commencement of the said work, or after the same is finished; *Provided always*, that inasmuch as it may be inconvenient for some of the proprietors through whose lands said ditch or drain shall pass, to satisfy and answer all the expenses of cutting and opening said ditch or drain at one time, the said directors, or any two of them, may make an estimate of the expense of cutting the said ditch or drain, through that part of the branch in which the said ditch or drain shall pass, and apportion the same as above directed, and that the same be paid by the proprietors respectively of that particular part of the said branch, unto the said directors, at three annual payments, one third of which to be discharged on or before the first Monday of April eighteen hundred and seventeen, one third on or before the first Monday of April eighteen hundred and eighteen, and the remaining third on or before the first Monday of April eighteen hundred and nineteen.

Proviso.

Obstructions

4. AND BE IT ENACTED, That the proprietors of said branch, or any of them, shall not at any time after the said ditch or drain is cut and opened, permit or put fences or other obstructions across or in the same; and if any of the said proprietors shall at any time make watering holes in the said ditch or drain, or run fences across, or otherwise obstruct the same, the said directors, or a majority of them, may remove the nuisance, and fine the offender a sum not exceeding two dollars for any one offence, to be recovered as hereafter directed, and applied to defray the general expenses of cleansing the said ditch or drain.

Delinquents

5. AND BE IT ENACTED, That in case the said proprietors, or any of them, shall not pay to the said directors, his, her or their respective proportion of any sum of money fixed and apportioned