

Passed December 19.

An ACT for the draining of a marsh and branch, known by the name of the Long Marsh, lying in Queen-Anne's and Caroline counties.

Preamble.

WHEREAS it is represented to the general assembly of Maryland, by the petition of Samuel Keene, William Hemsley, James Cheston, John Young Keene, William Kearney, Thomas Mason, William Lee, James Price, Mary Price, Solomon Scott, William Winchester Mason, William Mason, William Young, James Lowman, Vachel Keene and Thomas Lee, that they are possessed of a large body of meadow ground, lying in Queen-Anne's and Caroline counties, on the branch of Tuckahoe commonly called the Long Marsh; that they have in part drained the said ground by cutting a large ditch through part of the same, the effect of which has given good foundation to believe that very great advantage might be derived, as well to the public as the proprietors of the said marsh and branch, if the same could be effectually drained, which, it has been found by experience, cannot be well accomplished without the aid of the legislature, by passing an act to secure the joint exertions of all the said proprietors: And whereas it appears to this general assembly, that it will be of public utility to extend the aid of the legislature in order to accomplish so good an object:

Proprietors to meet annually, &c.

II. *Be it enacted, by the General Assembly of Maryland,* That it shall and may be lawful for the proprietors of the Long Marsh and main branch of Tuckahoe, extending from a tract of land called Edenborough, inclusive, belonging to, and possessed by, the reverend Samuel Keene, down to and through a tract of land called Stratton, in the possession of a certain Solomon Scott, and lying in Queen-Anne's and Caroline counties, to meet on the first Monday of May in each and every year hereafter, at the Nine Bridges, in Caroline county aforesaid, and for such proprietors, or a majority of those who shall attend at the said meeting, then and there annually to elect, by ballot, three of the said proprietors for directors, who, when so elected and chosen, are hereby authorized and empowered to make and open a drain or ditch, not less than sixteen feet in width and three feet in depth, from the said tract of land called Edenborough, inclusive, down to and through the land of the late Mr. Fauntleroy, and from thence, not less than twenty feet in width and three feet in depth, down to and through the aforesaid tract of land called Stratton, and in such direction as they, or the majority of them, may judge most proper to carry off the water from the same marsh and branch, and reduce the same to dry land; and the power and authority of the said directors, so to be chosen, shall continue and be in force until the next annual election of directors.

Cost to be paid by the proprietors, &c.

III. *And be it enacted,* That the cost, charges and expences, of cutting and opening the said ditch or drain, shall be paid and defrayed 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 marsh or 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 to repair the drain, &c.

IV. *And be it enacted,* That the said directors, or any two of them, shall have full power and authority, from time to time hereafter, to repair, cleanse, and keep open and in good order the said drain or ditch, so to be opened and cut in virtue of this act, at the expence of the said proprietors, in the same proportion that the charges of cutting and opening the same 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 authorized to apportion what they may conceive the expence thereof will amount to, and demand and receive such proportions respectively from the said proprietors, before or at any time after the

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