



to, they may and shall proceed to elect by ballot, or otherwise appoint, five or more of the aforementioned persons for managers or directors, who, when so elected or appointed, are hereby authorised and empowered, or any three of them, to make, cut, excavate and open, a ditch or drain, in such direction, and of such convenient width and depth, as they, or any three of them, may judge proper, needful and necessary, to drain or carry off the water from said branch, and the adjoining lands, from tide water at Parson's creek, at a place called the Bridge Marsh, to the fork of said branch, and from thence runs with the east prong of said branch to the head waters of Tobacco Stick Bay, near the dwelling house of Martha Jones, or in any other more convenient or eligible rout or direction which the aforesaid managers or directors may select or adopt; and the powers and authority of such managers and directors, so elected, or otherwise appointed, shall be and continue in force until a new election or appointment shall be made and take place.

2. *And be it enacted*, That in case of death, resignation, refusal, removal, or disqualification to act, of any of the persons elected or appointed managers or directors, at any time hereafter, it shall and may be lawful for the remaining managers or directors to meet, as soon as conveniently may be thereafter, at their usual place of meeting, and to elect, or otherwise appoint, a suitable and proper person or persons, as the case may be, to act and to serve in the place of any manager or director that may have resigned, removed, refused, neglected, died, or become disqualified to act, until the next general annual meeting of said managers or directors, who shall be, and he is hereby declared a manager or director, to all intents and purposes, as fully and completely as if he had been duly elected or appointed at the first or any subsequent general annual meeting of said managers or directors, under this act.

Vacancies how supplied

3. *And be it enacted*, That the costs, charges and expenses, of cutting, making and opening, said ditch or drain, shall be paid by the respective owners and proprietors of the same, each paying for cutting and opening the said ditch or drain through his, her or their own land, except where it shall so happen that two or more of the said owners or proprietors hold a part of the said branch or low grounds through which said ditch or drain may pass, or which low grounds may be drained or improved thereby, adjoining each other, in which case each shall pay in proportion to the part or parts he, she or they, may own or hold, and in proportion to the benefits to be derived from said ditch or drain.

Expenses to be paid by owners

4. *And be it enacted*, That the said managers or directors, or any three of them, shall have full authority and power, at any time hereafter, to cut, open, excavate and complete, the said ditch or drain, and also from time to time, as need may require, to repair, cleanse and keep open, and in good order, the said ditch or drain to be cut and opened by virtue of this act, at the expense of the said proprietors, owners, managers or directors, in the same fair and equal proportion that the expenses, costs and charges, of cutting, excavating and opening, of said ditch or drain, in the first instance; and the said managers or

Managers to open and keep in repair ditch at expense of proprietors