

ditches or install drain tile through the intervening lands into such main ditch or ditches and keep the same open at his own cost and charge; provided that no such cross ditch or drain shall be cut through the land of any other person without the consent of the owner of such land, unless the same be laid out and approved by the Drain Commissioners and the damages thereon accruing to the owner of the land be assessed by the Drain Commissioners appointed to lay out the main ditch, or by three freeholders appointed by the County Commissioners for the county for the purpose of assessing such damages. The person applying for such ditch or drain shall pay all costs of laying out and opening the same; and shall also, before making such ditch or drain, tender or pay all damages awarded to such persons as may be injured thereby.

81AN. Whenever in the opinion of the Drain Commissioners the owner of the intervening land or any other person whose lands are situated at the head or above such cross ditch will derive any benefit from cutting the same, then the said owner of the intervening land or other person benefitted, shall contribute and pay such sum or sums, respectively, as the Drain Commissioners shall determine to be his proportionate part of the damage, costs and expenses for laying out and making such cross ditch or ditches.

81AO. Any person who shall stop up, or in any way obstruct any ditch or drain made pursuant thereof, so as to impede the free flow of water therein, shall be deemed guilty of a misdemeanor and on conviction thereof by any Justice of the Peace shall be fined not exceeding twenty dollars for each offense and the costs of prosecution, and in the discretion of the said justice may be committed to jail until such fine and costs are paid. All such fines when collected shall be paid to the treasurer of the ditch on which the offense was committed for the use of such ditch; provided properly constructed swinging water gates may be placed across any such ditch on the fence lines to prevent stock from trespassing through said ditch.

81AP. The Drain Commissioners appointed as hereinbefore directed shall each receive for every day's attention in the discharge of their duties the sum of three dollars.

81AQ. The managers appointed as aforesaid shall receive two dollars for every day they shall be engaged in the discharge of their duty; the surveyor or engineer, such reason-