

assessed 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.

76. Any person who shall stop up, or in any way obstruct any ditch or drain or other improvement made pursuant to this sub-title so as to impede the free flow of water therein, shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined not exceeding twenty dollars for each offense. All such fines when collected shall be paid to the county treasurer, and placed to the credit of the Public Drainage Association which suffered the damage; provided that properly constructed swinging water gates may be placed across any such ditch on the fence lines to prevent stock from trespassing through said ditch.

77. Where any ditch, drain or other improvement established under the provisions of this sub-title crosses a public highway at the intersection of such highway with a natural watercourse or depression through which water flows during periods of high water, the cost of bridges, or of repairing or enlarging existing bridges and culverts, or of constructing new ones, shall be borne by the county in which such bridges are located or by such other authority as is required by law to maintain such highways so intersected; and such bridges or culverts shall thereafter be maintained by such county or other authority. Where any ditch, drain, or other improvement established under the provisions of this act crosses a public highway at a point where such highway does not intersect a natural watercourse or depression, the cost of constructing the new bridges shall be borne by the drainage association, provided that such new bridges or culverts shall thereafter be maintained by and at the expense of the county or other authority required by law to maintain the highways so intersected.

78. In all cases where the drainage improvements established under this sub-title cross railroad rights-of-way at the intersection of the right-of-way with a natural watercourse or depression through which water flows at periods of high water, the railroad company shall be required to construct, build and maintain any necessary new bridges or culverts, or to enlarge, strengthen, reconstruct, or replace any old ones. In all cases where the drainage im-