

CHAPTER 217.

Passed
Mar. 10, 1854.

AN ACT to authorise Henry Hewett, and Kirk Brown, to raise the Dam of their Mill situated in Queen Anne's county.

Preamble.

WHEREAS, it is represented to this Legislature, that Henry Hewett and Kirk Brown, are the owners of a mill, and mill seat near the village of Church Hill, in Queen Anne's county, and it is desirable to increase the water power of said mill by raising the dam, which would cause the water to flow over certain lands near by, not belonging to the said Henry Hewett, and Kirk Brown, ; *And whereas*, it is represented that such increase of water power would be very advantageous and beneficial to the community ; Therefore,

Authority to
raise dam.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the said Henry Hewett, and Kirk Brown, be and they are hereby authorised to raise their present mill dam, and in case they cannot agree with the owner or owners of any lands that may be overflowed by the water in consequence of raising such dam, for the purchase thereof, or in case such owner or owners, or any of them be an infant, idiot or non compos mentis, or out of the county, application may be made to any justice of the peace for Queen Anne's county, who shall thereupon issue his warrant under his hand and seal, directed to the sheriff of said county, requiring him to summon a jury of twenty inhabitants of said county, not related to the parties, not in anywise interested, to meet on the land on a day named in said warrant, not less than ten nor more than twenty days after the issuing of the same, and if at the same time and place, any of said jurors should not attend, the sheriff shall immediately summon as many jurors as may be necessary, with those in attendance to furnish a panel of twenty jurors, and from them each party or his, her or their agents, or if either be not present in person or by agent, the sheriff, for him, her, or them may strike off four jurors, and the remaining twelve shall act as the jury of inquest for damages, and before they act as such the said sheriff shall administer to each of them an oath or affirmation, as the case may be, that he will justly and impartially value the damages which the owner or owners will sustain by the overflowing of the said land as aforesaid, and the jurors aforesaid shall