

DEC. Sess.  
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any two of them shall have full power and authority at any time thereafter, to cut open and complete the said drain or ditch, and also from time to time to repair, cleanse and keep open, and in good order, the said ditch or drain so to be opened and cut in virtue of this act, at the expence of the said proprietors, in the same proportion that the expences of cutting and opening the said 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 authorised 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 commencement of the said work, or after the same is finished; *Provided always*, that in as much as it may be inconvenient for some of the proprietors through whose lands said ditch or drain shall pass, to satisfy and answer all the expences of cutting and opening said ditch or drain at one time, the said directors or any two of them may make an estimate of the expence of cutting the said ditch or drain, through that part of the branch in which the said ditch or drain shall pass, and apportion the same as above directed, and that the same be paid by the proprietors respectively of that particular part of the said branch, unto the said directors, at three annual payments, one third of which to be discharged on or before the first Monday of April eighteen hundred and seventeen, one third on or before the first Monday of April eighteen hundred and eighteen, and the remaining third on or before the first Monday of April eighteen hundred and nineteen.

Proviso:

Obstructions:

4. AND BE IT ENACTED, That the proprietors of said branch or any of them, shall not at any time after the said ditch or drain is cut and opened, permit or put fences or other obstructions across or in the same; and if any of the said proprietors shall at any time make watering holes in the said ditch or drain, or run fences across, or otherwise obstruct the same, the said directors or a majority of them may remove the nuisance, and fine the offender a sum not exceeding two dollars for any one offence, to be recovered as hereafter directed, and applied to defray the general expences of cleansing the said ditch or drain.

Delinquents:

5 AND BE IT ENACTED, That in case the said proprietors or any of them, shall not pay to the said directors, his, her or their respective proportion of any sum of money fixed and apportioned by the said directors as aforesaid, for the purpose of opening, cutting, cleansing or repairing the said ditch or drain, or fine or fines to be imposed as aforesaid, within thirty days after demand of the same by the said directors, it shall and may be lawful for the said directors or any one of them, to collect the proportion due from such delinquent proprietor or proprietors, by distress and public sale of any goods or chattels of such proprietor or proprietors, which shall be found on his, her or their part of the said branch, or any of his her or their land adjoining thereto, of which sale five days notice, excluding the days of notice and sale shall be given, which said sale shall be for current money; or if the said directors or a majority of them shall think fit, they may raise the money due as aforesaid from such delinquent proprietor or

such appeal or writ of error and may be lawful for the executor of the deceased, or any other party to such appeal or writ of error, in peremptory writ of error, in any other cases of appeals or writs of error, depending in the court of appeals, if the heir, executor or administrator of the deceased party or any other party to such appeal or writ of error, at the request of such party, either by oral suggestion and necessary suggestion and for the purpose of prosecuting the same proceedings shall appear in such appeals or writs of error.

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known by the name of the General Assembly of the Proprietors of the Andover Branch, extending to the farm to Smyrna, to meet on the first Monday of the month of October next, or ten days thereafter, at which a majority of the proprietors of the county, and for such purpose shall attend at the said meeting by ballot, three of the proprietors so elected and chosen, or any two of them, to be chosen from the said branch, from the main road aforesaid, in such depth as they or a majority shall think fit to carry off the water from the said dry land; and the proprietors so to be chosen shall meet at the annual election of directors, at the cost, charges and expences of the said ditch or drain shall be borne by the same, each paying for his share of the ditch through his own land, and that two or more of the proprietors of the said branch through which the ditch shall pass, paying each other, part on part, in which case each shall be liable to pay to the said directors or