Cosden, the heirs of John George, the heirs of Nathan Peacock, the heirs of John Rochester, and the heirs of Benjamin Roberts : And whereas the said petitioner hath agreed to make such liberal compensation for said privilege as meets the approbation of the guardians and nearest relatives of the said minors : And whereas it is highly expedient for the legislature to give proper encouragement to undertakings of that nature, Therefore, *Dec. Ses. 1816*

Sec. 1. *Be it enacted by the General Assembly of Maryland,* That it shall and may be lawful for the said Winbert Tschudy, his heirs or assigns, to raise a dam on the lands he the said Winbert Tschudy purchased of James Cosden's heirs, or on any other part of the said branch that may meet the approbation of the guardians or representatives of the minors, together with the consent of all persons who may be injured by reason of erecting said mill-dam, provided said mill-dam shall not be raised any higher than necessary to increase the water of said branch three feet above the level of the ordinary current of the same. *A dam to be raised, &c.*

2. *And be it enacted,* That it shall and may be lawful for the said Winbert Tschudy, his heirs or assigns, to open and make a mill-race through the lands of James Cosden's heirs, John George's heirs, Nathan Peacock's heirs, John Rochester's heirs, and Benjamin Roberts's heirs, so as to draw the water of the said Red Lyon Branch through said race for the purpose of a milling establishment, provided the same shall not exceed thirty-three feet in width, and at all times to repair the same, when repairs shall be necessary, and for such purpose shall have free ingress and egress with the necessary people and implements. *A mill race to be made.*

3. *And be it enacted,* That first, upon the payment, or securing to be paid, the several sums herein after provided to be paid, and then upon the erecting of said mill-dam, and upon the cutting of the said mill-race aforesaid, by the said Winbert Tschudy, his heirs or assigns, an absolute estate in fee-simple in the said race, and the land covered by water, by reason of said dam, with the necessary privileges, shall be vested in the said Winbert Tschudy, his heirs and assigns, for ever. *Fee-simple vested in W. Tschudy conditionally.*

4. *Provided always, and be it enacted,* That it shall and may be lawful for the said proprietors through whose land the said race may be cut, their heirs or assigns, to erect such fence or fences across said race, as may be necessary to secure the several fields belonging to their farms, not obstructing the free passage of said water down the race. *Proviso.*

5. *And be it enacted,* That it shall and may be lawful for the proprietor or proprietors of the land adjoining said mill-pond, to extend their fence or fences in said pond, as far as it may be necessary for the security of their fields. *Fences may be extended.*

6. *And be it enacted,* That the orphans court of Queen-Anne's county shall, upon the application of the said Winbert Tschudy, his heirs or assigns, appoint three persons of sound judgment and discretion, as commissioners, and the said orphans court shall have full power to fill any vacancies that may occur among said commissioners, who shall view the lands, and estimate the sum or sums proper to be paid to the said minors for the rights and privileges aforesaid, and make a return of said estimate to the said *Damages to be estimated.*