

C H A P. I. the counsel employed therein from attending the said court, which causes cannot, by the present laws, be continued any longer;

Causes may be continued, &c.

II. BE IT THEREFORE ENACTED, by the General Assembly of Maryland, That the judges of the court of appeals shall have full power to continue all causes unto the next court to be held on the second Tuesday of November, instant, which have been removed to the court of appeals on bills of exception, special verdict, or where special errors have been assigned; but not such cases as they shall have reason to believe were removed to the said court for delay only.

Passed 14th of Dec. 1790.

C H A P. II.
An ACT to make valid certain certificates of survey of lands formerly in Washington but now in Allegany county. Lib. JG. No. 1. fol. 218.

Preamble.
Chapter 29.

WHEREAS before the passage of the act of November session, seventeen hundred and eighty-nine, * entitled, An act for the division of Washington county, and for erecting a new one by the name of Allegany, several warrants had issued out of the office, and remained in the hands of the surveyor of Washington county for execution on lands lying in that part of the said county which was, by the act before recited, erected into and constituted a county by the name of Allegany, and the surveyor of the said county of Washington, proceeded to execute the same, conceiving it his duty, notwithstanding the division of the county as aforesaid; and as it will be attended with great inconvenience and expence to the parties interested, and, in some instances, subject them to the risk of losing their land, without the aid of the legislature,

Certain certificates may be returned, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That all certificates of survey made by the surveyor of Washington county, under warrants obtained before the passage of the act of November session, seventeen hundred and eighty-nine, entitled, An act for the division of Washington county, and for erecting a new one by the name of Allegany, of lands lying in Allegany county, may be returned to the western shore land-office, and shall be, by the register thereof, received and filed, and considered, to all intents and purposes, as good and effectual as if made by the surveyor of Allegany county.

C H A P. III.

An ACT to facilitate the draining of land in the several counties therein mentioned. Lib. JG. No. 1. fol. 218.

A Supplement 1799, ch. 73.

Preamble.

WHEREAS considerable bodies of land in Somerset, Dorchester, Worcester and Caroline counties, lie unimproved because the owners have not a power to cut ditches through neighbouring interfering lands into natural drains and sinks; and as the improvement of such lands would not only render them more useful to the proprietors, but would operate as a public benefit,

Persons may apply, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That any person or persons seized or possessed of land which is overflowed, or is liable to be overflowed, with water, having given two months notice, by advertisement set up at the court-house door of the county wherein the land lies, and to the owners of, or persons residing on, the lands through which he wishes to cut a ditch for the purpose of draining his or her lands, of his or her intention to apply to the county court of the said county for a commission to have a way laid out for that purpose, may apply, by petition in writing, to such court for a commission; and, upon proof being made to the satisfaction of the court, that notice was given as aforesaid, or upon the other persons interested appearing and waving the notice as aforesaid, the court may issue a commission to any five persons agreed on by all the parties, empowering them, or a majority of them, to lay out a way for a ditch to run through the lands mentioned in such commission, according to the directions of this act; but if the persons interested shall not agree on the persons for commissioners, then shall the court appoint five discreet persons, not interested in the lands, nor related to either of the parties, to whom a commission shall issue in manner aforesaid.

Commissioners to give notice, &c.

III. AND BE IT ENACTED, That the said commissioners, or a majority of them, shall give notice, by advertisement set up at the court-house door of their county, and such other places as they may judge most effectual, of the time of their meeting, thirty days at least before their meeting, and shall meet on the land to proceed in the execution of their commission, agreeably to the notice given by them