

Case where a water course shall be common to the lands of several proprietors, provided for.

XXV. And be it enacted, That in all cases when it shall be necessary to open any outlet or water course, or to cleanse any brook common to the lands of several persons, the work connected with which shall not have been apportioned and regulated by any *procès verbal* or agreement, the matter in dispute shall be adjusted on the requisition of one of the parties interested by two Road Surveyors, conversant with such matters and in nowise interested, and residing nearest to the place where such work is to be done, and in case there shall be no such Road Surveyors so conversant or not interested in the Parish, Seigniorship or Township, then by two Overseers qualified as aforesaid, that on or before the fifteenth day of July of each and every year, every brook, water course, drain or ditch, shall be thoroughly opened, cleansed and rendered fit for the flowing and passing through the same of all the water that may during any period of the year flow into the same, and that any person or persons failing so to open and cleanse every part of any ditch, drain, water course or brook which may be upon his land or to which he may by law be subjected, shall incur and pay a penalty of *ten shillings* currency for each and every day during which such drain, ditch, water course or brook shall remain unopened and uncleaned.

Previous notice to be given.

XXVI. Provided always, and be it enacted, That before any such Surveyors shall proceed to the execution of the duties hereinbefore assigned to them, public notice shall be given by them, either verbally or by advertisement in writing, read at the doors of the Churches or other places of public worship, in the Parish, Seigniorship or Township, immediately after Divine Service in the morning and posted thereon on the Sunday immediately preceding the day on which they intend to visit the place, requiring all persons interested to take notice of the same, and to attend at the time and place appointed