

Proviso: as to
owner of ad-
jacent swampy
lands.

the drains or water courses through their lands
of any greater depth than may be necessary
for draining their own lands: Provided fur-
ther nevertheless, that it shall in all cases be
lawful for the persons owing any adjacent land 5
or swampy grounds, to make use of such
drains or water courses as aforesaid, through
higher grounds, to clear out and deepen the
same at their own expense, or where there
are no such drains already existing, to cause 10
the same to be opened in the manner and
after the formalities herein before prescribed
in the section of this Act, in
in such manner as to carry off the water from
their own lands, or to prevent the same from 15
coming, lodging or remaining thereon.

Overseers of
such joint
work to be ap-
pointed.

Proviso:
length of
service of such
overseers.

XXIX. Provided always, and be it enact-
ed, That it shall be the duty of all Road Sur-
veyors, who shall draw up any *procès verbal*
as aforesaid, to select and appoint from 20
among the parties interested, and after
having consulted with them, one or more
overseers, according to the importance of the
work to be done, who shall, after their names
shall have been inserted in the said *procès* 25
verbal, carry the same into effect, and see
that the work therein ordered to be done, as
well with respect to the immediate perform-
ance thereof as to the keeping the same in
repair in future, be duly performed for the 30
general advantage of the parties interested
therein: Provided further, that the persons so
named as overseers shall not be bound to
act as such during more than four successive
years, if they shall consider the office bur- 35
thensome and wish to be relieved therefrom,
in which case, (or in case of death or infir-
mity, or absence of one or more of such
overseers,) or in case one or more of such
overseers shall sell his property, the persons 40
interested shall when thereunto required by
one or more such persons, who shall give
notice thereof in the manner hereinbefore set
forth respecting the view of the place, meet
for the purpose of proceeding to a newelec- 45