

the drains or water courses through their lands of any greater depth than may be necessary for draining their own lands: Provided further nevertheless, that it shall in all cases be lawful for the persons owing any adjacent land 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 the same to be opened in the manner and after the formalities herein before prescribed in the section of this Act, in such manner as to carry off the water from their own lands, or to prevent the same from coming, lodging or remaining thereon.

Proviso: as to owner of adjacent swampy lands.

Overseers of such joint work to be appointed.

Proviso: length of service of such overseers.

XXIX. Provided always, and be it enacted, That it shall be the duty of all Road Surveyors, who shall draw up any *procès verbal* as aforesaid, to select and appoint from 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 verbal*, carry the same into effect, and see that the work therein ordered to be done, as well with respect to the immediate performance thereof as to the keeping the same in repair in future, be duly performed for the 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 burdensome and wish to be relieved therefrom, in which case, (or in case of death or infirmity, or absence of one or more of such overseers,) or in case one or more of such overseers shall sell his property, the persons 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-