

No. 245.

AN ACT

To authorize the opening of certain drains in the county of Dauphin.

WHEREAS, It has been represented to the legislature that certain landholders in Swatara township, in the county of Dauphin, are desirous of draining their swamp lands, and are suffering in consequence of other landholders neglecting to open and keep open, good and sufficient drains through their lands : Preamble.

And whereas, The large quantities of stagnant waters now on said lands, not only prevent them from being properly tilled, but are believed to be the source of sickness, occasioned by the noxious vapors arising therefrom ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That all the landholders in said Swatara township, whose lands are affected by the said swamp, commencing with the upper line of Joseph Stocker's land, and ending at or near the lower line of Jonas Yarett's land, at the Susquehanna river, are hereby required to dig, at their individual cost and expense, a good and sufficient drain, not less than six feet wide at the top, nor less than three and a-half feet wide at the bottom, and to keep open the same at all times hereafter, that the objects of this act may be fully accomplished.

Drains in Swatara township.

SECTION 2. That if any of said landholders shall refuse to comply with the provisions of this act, it shall be the duty of the supervisor of the said Swatara township, then in office, to notify such delinquent landholder of the fact ; and if said landholder does not comply with this act, within ten days after such notice, then the said supervisor shall immediately thereafter enter in upon said lands and construct, or if constructed, to cleanse the said drain according to the provisions of this act, the expenses consequent to the construction and cleansing of the said drain to be paid by the said delinquent landholder, to the said supervisor upon the completion of the work ; and in case of the refusal of the said delinquent to pay all necessary costs and expenses of the same, then and in such case the said supervisor is hereby authorized to recover the amount of all costs and expenses incurred in opening and cleansing said drains by distress, in the same manner that rents are now recoverable, or by suit before any justice of the peace in the county of Dauphin, in his own name, against such delinquent landholder, together with the costs of suit, in the same manner that debts of like amount are now recoverable ; and that so much of any act or acts as is hereby altered or supplied, be and the same is hereby repealed. Expense of opening drains, how collected.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The twenty-third day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.