

out of the State Treasury on warrants drawn by the Auditor General.

JOHN GILMORE, *Speaker*  
*of the House of Representatives:*

WILLIAM MARKS, Junior,  
*Speaker of the Senate.*

APPROVED—March the twelfth, one thousand eight hundred and twenty-one.

JOSEPH HIESTER.

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## CHAPTER LVIII.

### *AN ACT*

Authorising George Miller and others to drain a certain swamp in the county of Dauphin.

WHEREAS it has been represented to the legislature that George Miller, Andrew Shrenk, Christian Martin, Martin Shrenk, Christian Knoop, Jacob Nisely, guardian of the minor children of John Snebly, deceased, Michael Kuntz, Jacob Gehr and Felix Landis, inhabitants of Swatara township, in the county of Dauphin, are desirous of draining a swamp or marshy piece of ground which passes through their plantations, and which has been found to be very injurious to the health of those who reside in the vicinity thereof, in consequence of the noxious effluvia arising from the stagnant waters of the same in the hot seasons of the year.

And whereas it is also represented, that there are a few individuals through whose land the said drain must necessarily pass, who have not given their consent to the same, in consequence of which this desirable and necessary object cannot be accomplished, unless by an act of the legislature authorising the same:

Therefore,

SECT. 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 it shall and may be lawful at any time after the passage of this act, for the said George Miller, Andrew Shrenk, Christian Martin, Martin Shrenk, Christian Knoop, Jacob Nisely, as guardian of the minor children of*

George Miller & others to drain a certain swamp, &c.

John Snebley, deceased, Michael Kuntz, Jacob Gehr and Felix Landiss, or any one or more of them, his or their heirs and assigns, at his or their own cost and expense, to dig and open a drain not exceeding in width at the top six feet and at the bottom three feet and a half, through the said swamp or marsh, beginning at the upper line of George Miller's land, and ending at the south line of George Brenner's lowest lot, a distance of about four hundred and eighty perches, and at all times in the spring and fall, and when necessary from inundations or other casualties, to enter in and open the lands lying along side of said drain, for the purpose of scouring and clearing out the same: *Provided nevertheless*, That in opening said drain and keeping the same in order, as little injury shall be done to the property of those through which it may pass as possible: *And provided also*, That it shall and may be lawful for the owners of the said lands, to use the said drain as a general receiver, into which to conduct the water off their land, they paying a proportionate part of the expense of keeping the same in repair: *Provided however*, That nothing herein contained shall prevent any person injured by any thing done by virtue of this act, from recovering damages to the amount of such injury, which shall be ascertained by three disinterested persons, to be appointed by the court of common pleas, on application of the party injured, whose report shall have the same effect as the report of referees under the act of seventeen hundred and five.

In what manner to be done.

Proviso.

2d proviso.

3d proviso.

JOHN GILMORE, *Speaker*  
of the House of Representatives.

WILLIAM MARKS, Junior,  
*Speaker of the Senate,*

APPROVED—March the fifteenth, one thousand eight hundred and twenty-one.

JOSEPH HIESTER.

## CHAPTER LIX.

### *AN ACT*

For the relief of James M'Ghee and others.

SECT. 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*