

the starting of such enterprises there is hereby established a fund to be known as the "Drainage District Fund," and the sum of ten thousand dollars is hereby appropriated out of any money that may be in the State Treasury and not otherwise appropriated, to be placed to the credit of that fund, from which loans can be made in sums not to exceed a total of more than two thousand dollars to any one drainage project for the payment of the expenses of the surveys, engineer, viewers, advertising and all other incidental fees and expenses connected with the project up to time of the establishment of the drainage district, and the turning over of the work to the Board of Drainage Commissioners. The money thus loaned shall be paid out by the Treasurer, when there is money to the credit of this fund, on warrant of the State Comptroller upon the receipt of an itemized statement or statements so requesting endorsed by the president and clerk of the Board of County Commissioners of the county in which the original petition of the particular district was filed. The funds loaned by the State shall be returned to the treasury again through the Board of County Commissioners, who shall collect the amount loaned under a petition filed with them from the petitioner or their bondsmen in case the petition is not allowed, but should the drainage district be established, then from the Board of Drainage Commissioners out of the first proceeds of the sale of the bonds of that district charged with the loan.

No greater sum shall be loaned to one district than is absolutely necessary for its use, in order that the fund may be in circulation and be available for other projects.

1920, ch. 507, sec. 81AB.

111. Whenever the owner or owners of any swamp or low grounds shall deem it fit to have them drained, if the owners of said lands cannot agree, or should any be married women, infants, non compos mentis, or non-residents of the county where swamp or low lands are situated, they or any of them may petition the County Commissioners, sitting in the county where such swamp or low lands or any part thereof are situated, for the appointment of commissioners to locate or lay out a ditch or ditches or drains for the purpose; and the County Commissioners shall thereupon appoint a board of three or more Drain Commissioners, to be composed of judicious and impartial freeholders, to be taken from the neighborhood, or vicinity of said swamp or low lands.

The Drain Commissioners so appointed being first duly sworn to execute their duties faithfully and impartially, shall call to their assistance a skillful surveyor or engineer, sworn in like manner, and shall go upon and view the swamps or low grounds mentioned in the petition, and lay out, by specified courses, distances and breadths such ditch or ditches, or drains, as shall have sufficient fall to carry water and to drain the said swamp or low grounds. They shall estimate the probable cost or expenses, including damages, if any, of cutting such ditch or ditches, or installing drain tile, and the sum or proportion thereof which each owner or possessor or person benefitted shall be bound to pay.