

SEC. 28. *And be it further enacted,* That in addition to the manner of collecting money levied for the purpose of cutting, making and opening, or for cleaning out and repairing any ditch or ditches, or the payment of damages or expenses, provided by sections 23 and 25 of this article, the treasurer of any ditch, in case of the refusal or neglect of any person bound to pay the same for thirty days after demand for payment thereof by said treasurer, may enter suit in his name as treasurer for any such money due taxes or assessment for ditches made pursuant to this article before a justice of the peace where the amount due does not exceed one hundred dollars, and before the circuit court, where the amount due exceeds one hundred dollars, and to obtain judgment therefor as in cases of assumpsit, all such suits to be entered in the county in which the debtor resides at the time of bringing the suit. But nothing in this section shall be construed to abridge or affect the right and power of the treasurer to collect such money in the manner authorized by said section 25 of this article, if he elect to proceed thereunder.

SEC. 29. *And be it further enacted,* That any sale of land by the treasurer, where the owners are described as the heirs of a named person, shall pass title as fully as if such heirs were each named in the proceedings by his full name.

SEC. 30. *And be it further enacted,* That in case of the death, resignation or removal out of the county, or other disqualification of either or both of said managers, or of the treasurer, any three of the taxables rated for such ditch or ditches may immediately call together, by advertisement, as hereinbefore directed, the taxables rated for such ditch or ditches, for the purpose of supplying such vacancy; and the person or persons receiving a majority of votes at such meeting shall be declared duly elected to serve until the annual election.

SEC. 31. *And be it further enacted,* That any person taxed for any ditch which does not pass through or upon his land may open a ditch or ditches through the intervening lands into such main ditch or ditches and keep the same open at his own cost and charge; provided that no such cross ditch shall be cut through the land of any other person without the consent of the owner of such land, unless the same be laid out and approved, and the damages thereon accruing to the owner of the land be assessed by the commissioners appointed to lay out the main ditch, or by three freeholders ap-