

height to enable him to draw off the water for the use of a mill or other water works; *Provided*, That the said John Umstead, <sup>Provided</sup> his heirs and assigns, in erecting the said dam and keeping it in repair, or in drawing off the water from the said river, shall not thereby or in any wise injure or impede the navigation thereof, nor infringe the rights and privileges of any individual, nor shall they erect any wier, rack or basket, nor make use of any such device for the purpose of taking fish out of the waters drawn off said river by means of said dam; *Provided*, the said John Umstead, his heirs and assigns, shall not take any more water from the aforesaid dam, than will supply two water wheels <sup>Not to take more water than will supply two water wheels.</sup> for said mill or water works.

SECT. XI. *And be it further enacted by the authority aforesaid*, That on complaint of any person or persons to the judges of the court of quarter sessions of the peace of the county of Montgomery, it shall be the duty of the said judges to appoint three reputable and disinterested persons to view the said dam and compare it with the limitations and provisions of this act, and report the state thereof to the said court at their next session, whereupon if it shall appear thereby that any offence has been committed against this act it shall be the duty of the said court to direct a bill of indictment to be sent to the grand jury, and upon prosecution to conviction, the said John Umstead, his heirs and assigns, or any of them, shall be liable to pay a fine not exceeding two hundred dollars, at the discretion of the court one half for the use of the person prosecuting to conviction; and the court shall moreover order so much of the said dam to be abated as shall bring the same within the limitations and provisions of this act, at the cost of the person or persons so convicted; *Provided nevertheless*, That nothing herein contained shall be taken to prevent any person prosecuting under this act, from being received as a competent witness at the trial of any indictment under the same.

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

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of February, one thousand eight hundred and eleven.

SIMON SNYDER.

## CHAPTER XLVI.

*An ACT authorizing the sale of a certain tract of land in Newbury township, York county.*

WHEREAS Samuel Garretson and James Wickersham, trustees of the religious society of Friends and others of the said

society, inhabitants of Newbury township in the county of York, have represented that a certain tract of land situate in the said township of Newbury, containing forty-two acres and sixty-one perches, was granted to John Garretson and Joseph Hutton by patent dated the twentieth day of May, in the year of our Lord one thousand seven hundred and ninety-six, in trust for the use of the said society for the purpose of a meeting place and burying-ground. And that by the direction of the said society, and authority of an act of the general assembly of Pennsylvania, passed the nineteenth day of February, in the year of our Lord one thousand eight hundred and two, Samuel Garretson, James Wickersham and Ezekiel Kirk, the then trustees for the said society, sold and conveyed thirteen acres and two perches of the said land, and that the said Samuel Garretson and James Wickersham yet remain trustees for the said society, and hold the residue of the said tract of land which is occupied for the purpose aforesaid; *And whereas* the local situation of the members of the said society at Newbury aforesaid is much changed by removals and other causes, and a change of their meeting place would much contribute to their convenience; Therefore,

SECT. I. *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* Samuel Garretson and James Wickersham or the survivor of them shall be, and they are hereby empowered to sell and convey in fee simple to the purchaser or purchasers thereof, all the residue of the said tract of land, or such part thereof as they shall think proper, and apply the proceeds of the said sale or sales to the purchase of other land for the purpose of a meeting place and burying ground, or such other use as the said society shall direct.

S. Garretson and  
J. Wickersham  
authorized to sell  
the residue of a  
certain tract of  
land.

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

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of February, one thousand eight hundred and eleven.

SIMON SNYDER.

## CHAPTER XLVII.

*An ACT authorizing the sale of the real estate of John Kauffman, a lunatic.*

WHEREAS it appears by the proceedings had in the court of common pleas, in and for the county of Lancaster, that a certain John Kauffman of said county, has been found and declared to be a lunatic and non compos mentis, and that John