

No. 61.

AN ACT

To authorize James Gregg to erect a Dam in the Kiskeminetas River.

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 James Gregg, of the county of Westmoreland, be and he is hereby authorized to erect a dam in the Kiskeminetas river, at or near the village of Salzburg, which shall extend from shore to shore, at a height not exceeding three and an half feet, without being subject to the restrictions and penalties imposed by the act of March twenty-third, one thousand eight hundred and three, entitled "An act to authorize any person or persons owning lands adjoining navigable streams of water, declared public highways, to erect dams upon such streams for mills and other water-works:" *Provided,* That the said James Gregg, his heirs or assigns, in erecting and keeping up said dam, shall not infringe on, or injure the rights and privileges of the owner or possessor of any private property.

SECTION 2. That such dam shall be so built, constructed, maintained, and kept up, as not to diminish the supply of water, or in any way create obstructions to the navigation of the canals of the commonwealth, and if at any time the said commonwealth shall see proper to change the location of the dam, or dams, now in said river, used as feeder dams, or in any way change the location, or alter the present plan of the canal or public works, so as to interfere with, or injure the dam or mill works hereby authorized, the commonwealth shall have full power to do so, without being held liable for any damages to the said owner or others.

WILLIAM HOPKINS,

*Speaker of the House of Representatives.*

CHARLES B. PENROSE,

*Speaker of the Senate.*

APPROVED—This twenty-first day of March, Anno Domini, eighteen hundred and thirty-nine.

DAVID R. PORTER.