

tents and purposes as if they had never been joined in matrimony or by any other contract whatsoever, any law, usage or custom to the contrary notwithstanding.

[Section II.](Section III, P. L.) And be it further enacted by the authority aforesaid, That from and after the date hereof the said Giles Hicks be and he hereby is freely, fully and entirely authorized and empowered to contract matrimony and the same in due form to celebrate with any other woman in like manner as he, the said Giles, if he had [never] been married to the said Hester, lawfully might or could do.

Passed March 9, 1780. Recorded L. B. No. 1, p. 416, etc.

CHAPTER CMXXX.

A FURTHER SUPPLEMENT TO THE ACT ENTITLED "AN ACT FOR MAKING THE RIVER SCHUYLKILL NAVIGABLE AND FOR THE PRESERVATION OF THE FISH IN THE SAID RIVER."¹

(Section I, P. L.) Whereas, several of the commissioners nominated and appointed in and by the act of assembly, passed on the twenty-sixth day of February, in the year of our Lord one thousand seven hundred and seventy-three, entitled "A supplement to the act, entitled 'An act for making the river Schuylkill navigable and for the preservation of the fish in the said river,'"² have, since the passing of the same, departed this life, removed from the neighborhood of the said river or engaged in other business, so that the regulations and provisions in the said act contained, to which this act is a further supplement, cannot now be properly carried into execution:

[Section I.] (Section II, P. L.) Be it therefore enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met,

¹ Passed March 14, 1761, Chapter 465.

² Passed February 26, 1773, Chapter 680.

and by the authority of the same, That David Rittenhouse, Owen Biddle, Mark Bird, Balsar Gheer, Thomas Potts, David Thomas, Patrick Anderson, John Mear, Isaac Hewes, Nathan Levering, George Douglass, John Heister and Christian Steer shall be and they are hereby appointed commissioners for clearing, scouring and making the river Schuylkill navigable, and for putting in execution all and singular the purposes mentioned in the act passed the fourteenth day of March, in the year of our Lord one thousand seven hundred and sixty-one, entitled "An act for making the river Schuylkill navigable, and for the preservation of the fish in the said river,"¹ or contained in the above-recited supplement thereto; and that they, or a majority of them, or of the survivors of them, shall have, hold and exercise all and every the powers, authorities, jurisdictions, rights and privileges given and granted in and by the said-recited act to the commissioners therein appointed, and shall be subject to the same duties, to all intents and purposes, as if they had been the commissioners therein particularly appointed.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the surviving commissioners appointed by the said-recited act, entitled "A supplement to the act, entitled 'An act for making the river Schuylkill navigable and for the preservation of the fish in the said river,'" shall, and they are hereby enjoined and required, immediately after the passing of this act, to deliver [over] to the commissioners hereinbefore appointed all and every the sum and sums of money by them, or either of them, collected or received, and remaining in their, or either of their, hands unappropriated and unapplied to the purposes mentioned in the said-recited act, together with all books, subscriptions and other papers, vouchers and accounts and all tools and implements which have been provided for opening and cleaning the said river, and are or shall be in their or any of their custody, power or possession.

(Section IV, P. L.) And whereas, it is represented to the legislature that notwithstanding the good and wholesome regulations contained in divers acts of assembly, now in force, for the preservation of fish in the said river Schuylkill, great in-

jury is done by a practice of driving the said river with brush nets:

For remedy whereof:

[Section III.] Be it further enacted by the authority aforesaid, That if any person or persons shall, from after the publication of this act, take any fish whatsoever with brush nets or such like devices, or shall drive the said river with such nets, or in any manner make use of the same therein, he, she or they so offending, being thereof convicted before any two justices of the peace in and for the county where he, she or they shall be apprehended (which justices are hereby authorized and empowered to hear, try and determine the same), shall forfeit for every such offense the sum of twenty pounds, one-half thereof to be paid to the overseers of the poor of the township where such offender shall reside, for the use of the poor thereof, and the other half to the informer, and likewise pay the costs of prosecution, and, moreover, it shall and may be lawful to and for any person or persons whatsoever, to remove or destroy any such brush net or other like device found in any part of the said river; and that all and every person or persons who shall assault, hinder or obstruct any person in taking, removing or destroying any of the said brush nets or other like device in any part of the river aforesaid, and shall be thereof convicted in manner aforesaid, shall forfeit and pay for every such offense fifty pounds, one moiety thereof to the use of the poor as aforesaid and the other moiety to the use of the party so obstructed or aggrieved.

[Section IV.] (Section V, P. L.) Provided always, and be it further enacted by the authority aforesaid, That no person or persons shall draw any seine or net for the purpose of catching shad in that part of the river Schuylkill between the mouth thereof and the lower falls, five miles from the city of Philadelphia, after the twentieth day of May, or between said falls and the black rock, near the mouth of French creek, after the twenty-fifth of said month, or in any part of the said Schuylkill river after the first day of June in every year, under the penalty of ten pounds for every such offense, to be recovered as aforesaid.

[Section V.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That so much of the above-recited supplementary act as relates to the appointment of commissioners shall be and the same is hereby repealed, made null and void.

Passed March 24, 1781. See the note to the Act of Assembly passed March 14, 1761, Chapter 465; and the Act of Assembly passed March 15, 1784, Chapter 1078. Section V of the act in the text was repealed by the Act of Assembly passed March 28, 1785, Chapter 1146. Recorded L. B. No. 1, p. 417, etc.

CHAPTER CMXXXI.

AN ACT FOR ERECTING PART OF THE COUNTY OF WESTMORELAND INTO A SEPARATE COUNTY.

(Section I, P. L.) Whereas, the inhabitants of that part of Westmoreland county, which lies west of the Monongahela river, have represented to the assembly of this state the great hardships they lie under, from being so remote from the present seat of judicature and the public offices:

For remedy whereof:

[Section I.] (Section II, P. L.) Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That all that part of the state of Pennsylvania west of the Monongahela river and south of the Ohio, beginning at the junction of the said rivers, thence up the Monongahela river aforesaid to the line run by Mason and Dixon, thence by the said line due west to the end thereof, and from thence the same course to the end of five degrees west longitude, to be computed from the river Delaware, thence by a meridian line extended north until the same shall intersect the Ohio river, and thence by the same to the place of beginning (the said lines from the end of Mason and Dixon's line to the Ohio river to be understood as to be hereafter ascertained by