

CHAPTER MMLVI.

AN ACT DECLARING DUNKARD CREEK, IN THE COUNTY OF GREENE, A
PUBLIC HIGHWAY.

[Section I.] (Section I, P. L.) 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, from and after the passing of this act, Dunkard creek, in the county of Greene, from the mouth thereof up to the main fork (or the several parts thereof which pass through this commonwealth) shall be, and the same is hereby, declared to be a public highway, under the limitations and restrictions hereinafter specified, and it shall and may be lawful for any person, desirous of improving or using the navigation of said creek, to remove all natural and artificial obstructions, excepting mill-dam already built, from the mouth thereof up to the main fork, or the several parts thereof which pass through this commonwealth, and also to erect such slopes at the mill-dams already built, and keep them in repair, as may be necessary for the passage of boats and rafts, and the ascent of fish. Provided always, That such slopes be so constructed as not to injure the works of said dams.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That nothing in this act contained shall be deemed, taken or understood to prevent any person or persons, possessing lands on said creek, who, before the passing of this act, had authority under the laws of this commonwealth to erect a dam, from erecting any such dam or dams that he or she may think proper. Provided always, That such dams be so constructed, and continued in repair, as that there may be a slope of each dam at least thirty feet in width, extending four times the distance down the creek that such dam may be in perpendicular height, and sufficient for the passage of boats and rafts, and the ascent of fish.