

sylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, Big Fishing creek, in the county of Northumberland, from the mouth of little Fishing creek up to Jonathan Colly's mill, and Cattewissi creek, in the county aforesaid, up to Cherington's mill, be and the same are hereby declared public highways, for the passage of rafts, boats or other vessels; and it shall and may be lawful for the inhabitants and others desirous of using the navigation of said creeks, to remove all natural and artificial obstructions which may be in the same, excepting dams for mills or other water-works, and also to erect such slopes at the mill-dams now built in the aforesaid creeks, as may be necessary for the passage of rafts, boats or other vessels: Provided, such slopes be so constructed as not to injure the works of said dams: And also, that any person or persons owning, or possessing lands on said creek, shall have liberty to erect any dam or dams across the same, agreeably and subject to all the restrictions and provisions of an act of the general assembly of this commonwealth, passed the twenty-third day of March 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."⁽¹⁾

Approved April 3, 1804. Recorded in L. B. No. 10, p. 18.

Note (1). Chapter 2353. Supra, this volume, p. 297.

CHAPTER MMDVIII.

A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT FOR ESTABLISHING AN HEALTH OFFICE, AND TO SECURE THE CITY AND PORT OF PHILADELPHIA FROM THE INTRODUCTION OF PESTILENTIAL AND CONTAGIOUS DISEASES." (2).

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 no person or persons, goods,

wares, merchandise, bedding or clothing from any port or place at which any malignant or contagious disease (the small pox and measles excepted) prevailed at the time of their departure, or from on board any vessel in which any such disease existed while they were on board, shall enter or be brought into the city or county of Philadelphia, at any time between the first day of May and first day of November in any year, by land or water, without the permission of the board of health first had and obtained, under the penalty of any sum not exceeding five hundred dollars, for each and every offense, and the forfeiture of all such goods, wares, merchandise, bedding and clothing, to be recovered and appropriated as directed by the nineteenth section of the act⁽¹⁾ to which this is a supplement.

Section II. And be it further enacted by the authority aforesaid, That whenever the board of health shall receive information that any malignant or contagious disease (the small pox and measles excepted) prevails in any port or place within the United States, or on the continent of America, they shall make diligent enquiry concerning the same, and if it shall appear that the disease prevails as aforesaid, all communication with such infected port or place, shall be subject to such control and regulations as the board of health may from time to time think proper to direct, and publish, in one or more of the newspapers published in the city of Philadelphia, and thereupon every person or persons, and all goods, wares, merchandise, bedding and clothing, from such infected part or place, and having entered or been brought into the city or county of Philadelphia, contrary to such regulations, shall be subject to the penalties and forfeitures provided by the first section of this act; and all vessels from such port or place, and bound to the port of Philadelphia, shall stop at the lazaretto and be proceeded with in the same manner, and under the same penalties and forfeitures as are also provided in cases of vessels coming from foreign ports; and every person or persons having entered, or been brought into the city, or county of Philadelphia, from such infected port or place aforesaid,

shall also be conveyed by any person authorized by the said board, to such place, for purification, as the said board may appoint or direct for that purpose, and be there detained at the pleasure of the board, any time not exceeding twenty days, and at the expense of such person; and if the said board shall have cause to suspect that any person or persons at the time within the city and county of Philadelphia, have been at such infected port or place, since such disease prevailed at such port or place, and within fifteen days next preceding, the said board may lawfully require such person or persons to render satisfactory proof of their place or places of abode during the said period; and if such person or persons neglect or refuse to render such proof, or fail in proving their residence, other than at such infected port or place, every such person shall be dealt with by purification and detention, as persons coming from such infected port or place.

Approved April 3, 1804. Recorded in L. B. No. 10, p. 18.
Note (*). Chapter 2386. *Supra*, this volume, p. 447.

CHAPTER MMDIX.

AN ACT TO AUTHORIZE THE PROPRIETOR OR PROPRIETORS OF THE
CONEWAGO CANAL TO RECEIVE A TOLL FROM THE BOATS, RAFTS
AND VESSELS PASSING THE SAME.

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 the proprietor or proprietors of the Conewago canal shall keep and maintain, in good order and repair, the said canal, locks and appurtenances, and shall employ a skillful person or persons to superintend the same, and assist all and every person who may have occasion to pass and repass the said canal, with boats, vessels, rafts or crafts, of such dimensions as are capable of being received in the same, to wit, not exceeding eighty feet in length, and twelve feet in breadth, and not drawing more than three feet and an half of water, at all times hereafter, unless when the passage