

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.

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## CHAPTER MMDIX.

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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

shall be rendered impracticable by ice, or shall be damaged or obstructed by freshets, and during such reasonable time as may be necessary for removing such obstructions and making repairs.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful for the proprietor or proprietors of the said canal, their agent or agents, to receive from the manager or owner of each boat, raft, vessel or craft, the sum of fifty cents for each passage up or down the said canal and locks, for every boat, raft, vessel or craft, having so passed; and in case of non-payment, the said proprietor or proprietors, agent or agents as aforesaid, may distrain on any utensil, or part of the cargo or property found on board such boat, vessel, raft, or craft, as is usual for rent, rendering the overplus, if any, after payment of toll and costs to the owner: Provided, always, that not more than half toll shall be charged on any canoe passing up or down the said canal and locks.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That in case any boatman, raftman, skipper, or person conducting any vessel or craft, who shall have paid or tendered the toll as aforesaid, shall be refused a passage either up or down the said canal, at any reasonable time of the day, to wit, between sun rising and sun setting, when the canal and locks shall be in repair, and free from ice or other obstructions as aforesaid, such boatman, raftman, skipper or other person, conducting such boat, vessel, raft or craft, not exceeding the dimensions aforesaid, may apply to any justice of the peace on either side of the river Susquehanna, who shall, on complaint as aforesaid made and substantiated, by oath, issue process, to bring the proprietor or proprietors of the said canal, or their tenant or tenants, agent or agents so refusing, before him, who on their appearance, or upon proof of the due service of the process, if he or they do not appear, shall proceed to hear the complaint or complaints of such boatman, raftman, skipper, or person conducting any craft or vessel as aforesaid; and if the said complaint or complaints shall be well founded, he shall give

judgment in favor of such boatman, raftman, skipper or other person conducting any craft or vessel, for twenty dollars for every boat, vessel, raft or craft which shall be refused a passage as aforesaid; and if not paid on the passing of such judgment, the justice shall issue an execution for the same, directed to the proper officer; for the satisfaction of which all the property of the said proprietor or proprietors, their tenant or tenants, agent or agents, which may be found on the premises, appurtenant to the said canal, shall be liable: Provided always, that such suit or suits shall be brought within thirty days after such refusal of passage as aforesaid.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That if any person or persons whosoever shall wilfully and knowingly do any act or thing whatsoever, whereby the said navigation, or any lock, gate, engine, machine, or device thereto belonging, shall be injured or damaged, or shall commit any wilful trespass, or take, carry away, or conceal any engine, device, machine, or instrument, used in or about the said canal and locks, or shall of their own accord, open or cause the said locks or gates to be opened, or attempt so to do, or to pass or repass the same, without the knowledge and consent of the superior, tenant, or manager of the said canal and locks, he she or they so offending, shall forfeit and pay to the said proprietor or proprietors, their tenant or tenants, agent or agents, fourfold the cost and damages by him or them sustained, by means of such known and wilful act, together with costs of suit, to be recovered as debts of equal amount are or may be by law recoverable.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That if the said canal and locks shall be out of repair, so as not to admit the passage of boats, vessels, rafts, or crafts as aforesaid, to pass up and down the same, for the space of one month, or shall neglect to keep a person or persons there to open and shut the said locks, the proprietor or proprietors, their tenant or tenants, agent or agents, shall be liable to a fine of one hundred dollars for every month the said canal and locks shall be out of repair, or neglect to employ such person or persons as aforesaid, to be re-

covered in any court of quarter sessions of the proper county; one moiety to the prosecutor, and the other moiety to the use of the commonwealth, and moreover shall be liable to be prosecuted anew, under like penalties, at every subsequent court of quarter sessions, as long as the said canal and locks continue out of repair: Provided always, that the said proprietor or proprietors, their tenant or tenants, agent or agents, shall not be liable to said penalty if the said canal or locks become out of repair by any unavoidable accident, and reasonable diligence has been used to make such repair.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the right herein granted to the proprietor or proprietors of the Conewago canal, to receive toll, shall continue and be in force from the passing of this act, for nine years, and from thence to the end of the next session of the legislature, and no longer.

Approved April 3, 1804. Recorded in L. B. No. 10, p. 20.

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## CHAPTER MMDX.

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AN ACT TO AUTHORIZE AND REQUIRE THE STATE TREASURER TO RECEIVE THE INTEREST ON FEDERAL STOCK, THE PROPERTY OF THIS COMMONWEALTH, AND FOR OTHER PURPOSES.

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 state treasurer be, and he is hereby authorized and required, from time to time, for the use and on behalf of the state, to receive the interest at the treasury of the United States or elsewhere, already accrued, or hereafter to accrue, on the certificates of debt of the United States, the property of this state, whether held in the name of the late, or the present comptroller general, or in the name of the commonwealth of Pennsylvania, and place the same to the credit of the state.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That whenever it shall appear to