

## CHAPTER MMDCLXXVII.

AN ACT ALTERING THE TIMES OF HOLDING TOWNSHIP ELECTIONS,  
AND MEETING OF RETURN JUDGES OF THE GENERAL ELECTIONS.

WHEREAS it has been represented to the legislature by sundry citizens called Seventh-day Baptists, that owing to township elections and other public business being transacted on Saturday or Seventh-day of the week, they are in a great measure excluded from a participation in the privileges of free citizens: And whereas it is presumed that changing of such elections and meetings, while it would afford the relief prayed for by the petitioners, would not be an injury to other citizens of this commonwealth, but rather a benefit: Therefore,

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 fourth day of July next, all township elections and meetings of return judges of the general elections, that now are directed by law to be held on Saturday, shall be holden on the Friday immediately preceding, and so much of any law as is by this act altered or supplied, shall be, and the same is hereby repealed, from and after the said fourth of July next.

Approved March 17, 1806. Recorded in L. B. No. 10, p. 802.

## CHAPTER MMDCLXXVIII.

AN ACT TO AUTHORIZE LEWIS REESE AND THOMAS MILLS, TO  
ERECT A WING DAM ON THE RIVER SCHUYLKILL, IN THE COUNTY  
OF BERKS.

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 Lewis Reese and Thomas

Mills, their, and each of their heirs and assigns, be, and they are hereby authorized and empowered to erect and forever maintain a wing dam, one foot high above low water mark at the upper end of the dam, to carry it level on the top to the lower end of the dam, on the river Schuylkill, adjoining their own land, in the county of Berks, about a mile above the borough of Reading, and one hundred rods above the confluence of Tulpehocken creek with the said river Schuylkill, on the east side of the said river; and to extend the dam so far into the said river, not exceeding one-fourth of the width of the same, and to draw off as much water as may be necessary for the use of such mill, not exceeding two water-wheels, which the said Lewis Reese and Thomas Mills, their, and each of their heirs and assigns, may, or shall hereafter erect: Provided, that the said Lewis Reese and Thomas Mills, their heirs and assigns, in erecting the said dam and keeping the same in repair, or in drawing off the water from the said river, shall not thereby injure or impede the navigation of the said river, or infringe the rights and privileges of any individual; nor shall they erect any weir, rack or basket, nor make use of any device whatever for taking of fish, by means of said wing: Provided also, that if a future legislature should determine, that the said dam shall be used as a still-water navigation, the said Lewis Reese and Thomas Mills, shall in this case, put in the said dam a complete lock, suitable and convenient for boats to pass through toll free, and shall forever keep the same in complete repair.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That on complaint of any person or persons to the judges of the court of quarter sessions of the peace, of the said county of Berks, it shall be the duty of the said judges, to appoint three commissioners, to view the said dam, and compare it with the limitations and provisions herein set forth and enacted, and report the state thereof to the said court at their next sessions, in the said county; which report being made, if it shall appear thereby that an offense has been committed against this act, it shall be the duty of the said

court, to direct a bill of indictment, to be sent to the grand jury, and upon prosecution to conviction, the said Lewis Reese, Thomas Mills, their, and each of their heirs and assigns, shall be liable to pay a fine not exceeding five hundred dollars, at the discretion of the court, who, shall order so much of the said dam to be abated, as shall bring the same within the limitations and provisions of this act, at the cost of the person or persons so convicted.

Approved March 17, 1806. Recorded in L. B. No. 10, p. 303.

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#### CHAPTER MMDCLXXIX.

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AN ACT TO AUTHORIZE THE PRESIDENT, MANAGERS AND COMPANY OF THE SUSQUEHANNA AND LEHIGH TURNPIKE ROAD, TO EXTEND THE SAME, AND ALSO TO CONSTRUCT A BRANCH THEREFROM.

Whereas in pursuance of an act of the general assembly, passed the nineteenth day of March, one thousand eight hundred and four,<sup>(1)</sup> a company has been duly incorporated, for the purpose of making a turnpike road, from the Northeastern Branch of the Susquehanna river, between the Lower Whopehawy and Nescopeck creeks, in Luzerne county, to the north side of Nesquehoning creek, near its entrance into the river Lehigh; and it has been represented on behalf of the said company, and appears to the legislature, that it would be advantageous to the public, to extend the said road, and also to construct a branch therefrom: Therefore,

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 president, managers and company, of the Susquehanna and Lehigh turnpike road, be, and they hereby are authorized and empowered to lay out and construct a branch road from such point, as shall be judged most proper on their present route to any part of the river Susquehanna, within three miles above the mouth of