

the application of William Sherrard, (father of William Sherrard, junior, deceased), or his legal representative or representatives, whose tract of land patented to John Hughes and Timothy Ryan, under date of the fourth of August, one thousand seven hundred and eighty-five, has been ascertained to lie in the state of Virginia, on the waters of Fish creek, on his making legal surrender of said patent to this commonwealth, which he is hereby authorized to do, shall liquidate the amount of payments heretofore made, into the state treasury for the said land, exclusive of office fees, and certify the same to the Receiver general; who shall thereupon deliver a certificate or certificates of such sum, with interest thereon, from the time it shall appear to have been paid to the state, to the said William Sherrard, or his legal representative or representatives, and enter a credit on his books for the same; which certificate or certificates shall be transferable and admitted in said office in payment of the arrears of any former grants of lands, but in no other manner.

Approved March 4, 1807. Recorded in L. B. No. 10, p. 442.

CHAPTER MMDCCLXVII.

AN ACT DECLARING PART OF BRUSH CREEK IN THE COUNTY OF BEDFORD, AND PARTS OF ALLEGHENY RIVER AND OSWAYE AND CONONDAU CREEKS, IN THE COUNTIES OF POTTER AND M'KEAN, AND BALD EAGLE CREEK IN CENTRE COUNTY, PUBLIC STREAMS OR HIGHWAYS.

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, all that part of Brush creek, situate between the mouth thereof and the mouth of Shaver's creek, in the county of Bedford, be, and the same is hereby declared a public

stream or highway, for the passage of boats and rafts; and it shall and may be lawful for persons desirous of using the navigation of the said creek, to remove all the obstructions therein: Provided, they do not thereby injure the property of any individual on either side of the said creek.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That from and after the passing of this act, all that part of Oswayo creek in the counties of Potter and M'Kean, which lies between the north line of this state and the forks of the said creek about twenty miles from its mouth, be, and the same is hereby declared a public stream or highway, for the same purposes and under the same provisions as are contained in the first section of this act.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That from and after the passing of this act, all that part of Six's or Conondau creek, which lies between the town of Smithsport in the county of M'Kean, and the mouth of the said creek; and so much of the Allegheny river, in the counties of Potter and M'Kean, as lies southwardly of the North line of the state, be, and the same are hereby declared public streams or highways, for the same purposes and under the same provisions as are contained in the first section of this act.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That from and after the passing of this act, all that part of Bald Eagle creek in Centre county, situate and lying between Milesburg and Joseph William's land, a distance of about eight miles, be, and the same is hereby declared a public stream or highway, for the same purposes, and under the same provisions as are contained in the first section of this act.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That any person or persons, owning or possessing land on either of the said creeks or river, 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 March 4, 1807. Recorded in L. B. No. 10, p. 443.
Note (1) Chapter 2353; 17 Statutes at Large, p. 297.

CHAPTER MMDCCCLXVIII.

AN ACT TO RAISE BY WAY OF LOTTERY SUNDRY SUMS OF MONEY FOR THE PURPOSES THEREIN MENTIONED.

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 John Horn, John Roth, George Keck, George Wenner, George Rhoads, and George Youndt, of the county of Northampton, be, and they are hereby appointed commissioners to raise by way of lottery a sum of money not exceeding two thousand dollars; to be by them applied to the payment of the debts of the German Lutheran congregation, and for the erection of a schoolhouse for the use of said congregation, in the town of Northampton in the county aforesaid.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That John Clark, Christian Brobst, Isaiah Willis, Gabriel Launt, and Hezekiah Boon, of the county of Northumberland, be, and they are hereby appointed commissioners to raise by way of lottery, a sum of money not exceeding two thousand dollars; to be by them applied to the purpose of repairing, altering and improving a certain part of the