

shall be deemed, taken or understood, to prevent any person or persons possessing lands on the said creek, who before the passing of this act had authority under the laws of this commonwealth, to erect a dam, or dams, from erecting any such dam or dams that he, she or they may think proper; Provided always, that such dam or dams shall be so constructed and kept in repair, with such a proper slope or slopes, or with a lock or locks, whereby the navigation of the said creek shall not be injured.

Approved February 1, 1808. Recorded in L. B. No. 11, p. 151.

CHAPTER MMDCCCXCVI.

AN ACT DECLARING PART OF LACKAWAXEN CREEK IN WAYNE COUNTY, 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 Lackawaxen river in the county of Wayne, from the falls thereof to the Dyberry forks, and thence up the Dyberry branch and West branch to the Great falls of the respective branches, be, and the same is hereby declared a public highway for the passage of rafts, boats and other vessels; and it shall be lawful for the inhabitants and others desirous of using the navigation of the said river, to remove all natural and artificial obstructions which may be in the same, excepting dams for mills, and other water works, and also to erect such slopes at the mill-dams now built in the said river, 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 provided also, that any person or persons owning or possessing lands on said river, shall have liberty to construct 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 February 1, 1808. Recorded in L. B. No. 11, p. 151.
Note (*) Chapter 2353; 17 Statutes at Large, p. 151.

CHAPTER MMDCCCXCVII.

AN ACT GRANTING SAMUEL KOOCKOYAEI A TRACT OF DONATION LAND.

Whereas it appears that Samuel Koockooyaei served as a Musician in the Pennsylvania Regiment of Artillery, commanded by Colonel Thomas Forrest, until honorably discharged in consequence of inability to continue longer in the service, occasioned by an epileptic disease, and was discharged very near the close of the war, with a constitution debilitated by the services rendered his country: 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 officers of the land-office, be, and they are hereby authorized and required to grant to Samuel Koockooyaei, a patent for a tract of donation land, according to his rank aforesaid.

Approved February 1, 1808. Recorded in L. B. No. 11, p. 152.

CHAPTER MMDCCCXCVIII.

AN ACT TO CONFIRM TO CERTAIN PERSONS HOLDING AN ISLAND IN THE RIVER DELAWARE, THEIR TITLE TO THE SAME.

Whereas doubts have arisen whether the present possessors of an Island in the river Delaware, (known by the name of Biles Island, situate in Falls township, Bucks county, about