

the authority of the same, That the townships of Lackawanna, Exeter and Providence, in the county of Luzerne, are hereby erected into a separate election district, to be called the Lackawanna district, in the county aforesaid; and the freemen of the said district shall hold their annual elections at the house of William Hooker Smith, in the township of Lackawanna aforesaid.

Passed February 25, 1795. Recorded L. B. No. 5, p. 376, etc.

CHAPTER MDCCXCVIII.

AN ACT TO AUTHORIZE BENJAMIN ELLIOT TO ERECT A WING DAM ON THE EAST SIDE OF THE RIVER JUNIATA, IN HUNTINGDON COUNTY.

[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 Benjamin Elliot, his heirs and assigns, be, and they are hereby authorized and empowered to erect a wing dam on the river Juniata, in the county of Huntingdon, to extend not more than two-thirds across the said river, and to keep the same in good repair forever, and also to lead off thereby on his own land so much of the water of the said river as may be found necessary for the supply of his water works: Provided always, That the said Benjamin Elliot, his heirs or assigns, in erecting the said wing dam, or in keeping the same in repair, or in drawing off the water as aforesaid, shall not thereby in any degree injure or impede the navigation of the said river, to prevent fish from passing up the same: And provided also, That the said Benjamin Elliot shall not interfere with any private property on the said river.

[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 said county, it shall and may be lawful for the said judges to

appoint three commissioners to view the said dam, and to compare it with the limitations and provisions herein set forth and enacted, and to report to them at the next sessions in the said county, the state thereof, which report, on oath or affirmation, if it contain an offense against this act, shall be sufficient ground for the court to direct a bill of indictment to be sent to the grand jury, and upon prosecution to conviction of an offense against this act, the party or parties so convicted shall be liable to pay a fine not exceeding two hundred dollars, at the discretion of the court, and the court shall adjudge so much of the said dam to be abated and altered as shall bring the same within the limitations and provisions in this act.

Passed February 25, 1795. Recorded L. B. No. 5, p. 375, etc.

CHAPTER MDCXCIX.

A FURTHER SUPPLEMENT TO THE ACT, ENTITLED, "AN ACT TO ENABLE THE GOVERNOR OF THIS COMMONWEALTH TO INCORPORATE A COMPANY FOR OPENING A CANAL AND LOCK NAVIGATION ON THE WATERS OF BRANDYWINE CREEK."¹

Whereas, by the twenty-first section of the act, entitled, "An act to enable the governor of this commonwealth to incorporate a company for opening a canal and lock navigation on the waters of Brandywine Creek,"¹ passed the tenth day of April in the year of our Lord one thousand seven hundred and ninety-three, it is enacted and declared that nothing in the said act contained should be deemed or taken to authorize or empower the governor to incorporate any persons subscribing, in manner therein-before mentioned, or should give any power or authority to such subscribers to do any act, matter or thing therein mentioned, until such time as the legislature of the state of Delaware should, by law, vest the like power and authority in such subscribers to extend the said canal navigation, from the place where the same should intersect the line dividing this state from the state of