

feet wide and sixty feet long, through which boats and canoes may at all times safely and conveniently pass; provided that in erecting said wing-dams they shall not in any wise injure or impede the crossing of the said creek at the fording place, commonly called the Mill fording.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That on complaint of any person or persons to the justices of the court of quarter sessions of the said county, it shall and may be lawful for the said justices to appoint three commissioners, to view the said dam or dams, and to compare them, or either of them, with the limitations and provisions herein set forth and enacted, and report to them at the next session in the said county the state thereof, which report, on oath or affirmation, if it contain a statement of facts constituting an offence against this act, shall be sufficient grounds for the court to direct a bill or bills of indictment to be sent to the grand jury, and upon prosecution to conviction of an offence 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 or dams to be abated and altered, as shall bring the same within the limitations and provisions in this act.

Passed February 13, 1796. Recorded L. B. No. 6, p. 56, etc.

CHAPTER MDCCCLXXII.

A SUPPLEMENT TO THE ACT, ENTITLED, "AN ACT TO EXTEND THE POWERS OF THE JUSTICES OF THE PEACE IN THIS STATE."

[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, the electors of the township of the Northern Liberties,

and the electors of the township of Germantown, shall, on the same day, and at the same place, where they respectively meet to choose supervisors of the highways, and the electors of the district of Southwark shall, on the same day, and at the same place, where they meet to choose commissioners, annually elect two suitable persons, in each of the said townships, and in the said district, respectively, and return the names of the persons so elected as aforesaid to the next general court of quarter sessions to be held for the county of Philadelphia; and the said court shall appoint one of them high constable, for each of the said townships, and district, for which he was chosen, for one year from and after the time of his appointment; and each of the high constables so appointed shall appoint not less than one, nor more than four, deputies under him, to be removable at the pleasures of the said high constables, and if either of the said high constables shall refuse or neglect to take upon him the office to which he shall be appointed as aforesaid, or in case of a vacancy by dismissal from office for misconduct, death, resignation or removal out of the township or district for which he was chosen, the court may and shall appoint another proper person in the said townships or district, as the case may be, to serve the office of high constable for and during the term which the person, in whose room he shall be appointed, was entitled to serve.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That before any high constable of the said townships or district shall be appointed as aforesaid, shall enter on the duties of his office, he shall become bound by recognizance, with two good and sufficient sureties, inhabitants and freeholders of the said townships or district, to be approved by the justices of the court of quarter sessions, for the faithful performance of the duties of his office, by himself and by his deputies, before the justices of the said court, jointly and severally, in the sum of six hundred dollars, payable to the commonwealth, in trust for the use and benefit of all and every such person or persons as may be injured or aggrieved by the neglect or improper conduct of such high constables, or their deputies, in the execution of the duties of their said offices.

Provided, That all precepts or warrants issued by any of the justices of the peace, within the said townships or district, for any offence or cause of action arising therein, shall be directed to the high constable of the township or district in which the person, against whom any such warrant or precept may or shall be issued, shall reside, and shall be executed by the said high constable, or his deputies, unless the said precept or warrant shall be against him or them, or some one of them, in which case, it may be executed by any constable of the county.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That so much of the act, to which this is a supplement, as authorizes and directs the electors of the townships of the Northern Liberties, and Germantown, and district, of Southwark, to elect constables of the said townships and district, or that requires that the constables for the said townships and district should be freeholders, be, and the same is hereby, repealed.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That this act shall continue and be in force for and during the term of three years, and from thence to the end of the next sessions of the general assembly.

Passed January 13, 1796. Recorded L. B. No. 6, p. 54, etc.

See Act of February 27, 1798, Chapter 1968, repealing clause as to appointment of high constable for Northern Liberties, as to Southwark, see the Act of March 7, 1797, Chapter 2024.

CHAPTER MDCCCLXXIII.

AN ACT DECLARING A CERTAIN PART OF SPRING CREEK 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 from and after the passing of this act, Spring creek, in the county of Mifflin, from the mouth