

and Joseph McClelland, their heirs and assigns, shall provide and maintain a good and substantial boat or boats, and careful ferrymen, who shall duly and constantly, as occasion may require, attend for the purpose of transporting travellers over the said river, which ferry shall be subject to such rules, rates and regulations as the court of quarter sessions may direct and appoint.

Provided always, That nothing in this act contained shall be construed to vest in William Harris and Joseph McClelland, their heirs or assigns, any right to land any boat or boats upon any landing belonging to any other person or persons, without their consent first had and obtained.

Passed March 17, 1796. Recorded L. B. No. 6, p. 66.

CHAPTER MDCCCLXXXII.

AN ACT TO AUTHORIZE EVAN OWEN TO ERECT A WING-DAM, ON THE NORTH SIDE OF SUSQUEHANNA RIVER, IN THE COUNTIES OF NORTHUMBERLAND AND LUZERNE.

[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 Evan Owen, his heirs and assigns, be, and they are hereby, authorized and empowered to erect a wing-dam on the north side of the east branch of Susquehanna river, at or near the town of Berwick, in the counties of Northumberland and Luzerne, and to keep the same in good repair forever, and also to lead off thereby on his own land, so much water of the said river as may be found necessary for the supply of his or their water works.

Provided always, That the said Evan Owen, his heirs or assigns, in erecting the said dam, or in keeping the same in repair, or in drawing off the water, as aforesaid, shall not, in any degree,

injure or impede the navigation of the said river, or prevent fish from passing up the same.

And provided also, That the said Evan Owen, his heirs and assigns, shall not interfere with any private property on said river.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That on the complaint of any person or persons, to the judges of the court of quarter sessions, in either of the said counties wherein the said dam shall or may be erected, 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 report to them at their next session in the said county, the state thereof, which report, on oath or affirmation, if the matter therein contained constitutes an offence 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 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 to be abated and altered, as shall bring the same within the limitations and provisions in this act.

Passed March 17, 1796. Recorded L. B. No. 6, p. 67, etc.

CHAPTER MDCCCLXXXIII.

AN ACT TO ESTABLISH A FERRY OVER SWATARA CREEK NEAR HUMMELSTOWN, IN THE COUNTY OF DAUPHIN, AND FOR VESTING THE RIGHT IN CHRISTOPHER ERNST AND SAMUEL SHERER, THEIR HEIRS OR ASSIGNS.

Whereas Christopher Ernst and Samuel Sherer have, for a number of years past, at considerable expense in boats and chains, maintained a ferry over Swatara creek, on the main road