

good road without any covering of wood, gravel, stone, slate, or other hard substance, the said president and managers are hereby authorized to construct such part of said road without any such covering, and shall keep the said road in perfect order and repair.

SECTION 6. The election for president, treasurer and managers of said company, shall be held annually on the second Monday of January. Election of officers.

JAMES THOMPSON,  
Speaker of the House of Representatives.

JACOB KERN,  
Speaker of the Senate.

APPROVED—The fourth day of March, one thousand eight hundred and thirty-five.

GEO: WOLF.

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No. 39.

## A further Supplement

To an act to regulate fisheries in the river Susquehanna and its branches, passed the thirtieth day of March, one thousand eight hundred and thirty-two.

SECTION 1. *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 passage of this act, it shall not be lawful for any person or persons to cast, draw or use, or to direct, permit or aid in casting, drawing or using, any seine, net or other device for the taking of shad in, or obstructing their passage through, any sluices, left open or constructed for the passage of any rafts and other craft, in the dam erected in the river Susquehanna at Duncan's Island and at the Shamokin Ripples, at Muncy and at Nanticoke, nor within one hundred perches above and below said sluices, nor within thirty perches of either side of the sluices of the dams at Duncan's Island, Shamokin, Nanticoke and Muncy; but that the said sluices shall be and remain open and free from obstruction, so that shad and other fish may pass through the same. Of fishing with seines, or nets, &c.

SECTION 2. Every offender against any of the provisions of this act, and every owner of any seine, net, or other device for the taking of shad, who shall knowingly and wilfully permit the same to be used for the taking of shad, contrary to the aforesaid provisions, shall forfeit and pay the sum of fifteen dollars for every such offence, to be sued for and recovered in the same manner and for the like uses as penalties incurred under the act \$15 penalty for every offence.

Proceeding in  
case of failure  
to pay.

to which this is a supplement, and the several supplements thereto, are now by law recoverable; and in case of failure to pay the same shall be imprisoned, in the jail of the county where the offence shall have been committed, for the first offence, ten days, and for all similar offences thereafter any term not exceeding one month.

Duties of  
township con-  
stables on  
both sides of  
the river.

SECTION 3. It is hereby made the duty of the constable of the townships on both sides of the river adjoining the dams, and opposite the sluices mentioned in the first section of this act, under the penalty of twenty-five dollars for neglecting or refusing, to prosecute all persons offending against the provisions of this act; and it shall be the duty of each of the said constables, under like penalty of twenty dollars, to examine said dams and the sluices attached to the same, at least twice a week during the fishing season for shad, and to remove or destroy all and every device used or placed in the river for taking of shad, or obstructing their passage, contrary to the provisions of this act; and the commissioners of the counties in which the constables reside, performing the duties imposed upon them by this act, are hereby required to pay for the same out of the county funds, at the rate of one dollar per day for all time necessarily spent by the said constable in such service: *Provided*, The said constables shall make out their accounts and present the same under oath or affirmation.

Proviso.

Repeal.

SECTION 4. All the acts of Assembly heretofore passed on this subject, which are altered and supplied by the passage of this act, are hereby repealed.

JAMES THOMPSON,  
Speaker of the House of Representatives.

JACOB KERN,  
Speaker of the Senate.

APPROVED—The fourth day of March, one thousand eight hundred and thirty-five.

GEO: WOLF.

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No. 40.

## A Supplement

To an act relative to the Butler and Freeport turnpike road company.

Preamble.

WHEREAS, In an act of Assembly, passed the fourteenth of April, eighteen hundred and thirty-four, entitled "An act to authorize the Governor to incorporate the president, managers and company of the Butler and Freeport turnpike road company," a clerical error occurred in the transcribing, by which the name of "Walker" was omitted between the words "Wil-