

of surveyor shall have and receive an additional compensation of one dollar per day for each and every day spent in the laying out of said road, to be paid in manner and form as hereinafter directed.

Draft.

Copies of drafts,
to be filed.

Public highway.

Accounts of com-
missioners to be
settled.

Meeting.

Vacancies, how
supplied.

SECTION 4. It shall be the duty of the said commissioners to make out a fair and accurate draft of the location of said road respectively, noting thereon the courses and distances as they occur, the improvements, and also the crossings of township lines, roads and waters, with such other matters as may serve for explanation; one copy thereof shall be deposited in the office of the secretary of the commonwealth, on or before the first day of September next, and one copy in the offices of the clerks of courts of the respective counties in which the said road may be laid out, on the day aforesaid, or as much sooner as practicable, which shall be a record thereof; and from thenceforth the said road shall be to all intents and purposes, a public highway, and shall be opened to the breadth, and repaired in all respects as roads are opened and repaired, which are laid out by order of the courts aforesaid.

SECTION 5. That the accounts of the said commissioners, for their own pay, and the pay of their chain carriers and so forth, shall be made out and returned to the commissioners of such counties in which said road may be located, in proportion to the time spent in the respective counties in locating said road, and that they be paid out of the treasury of each of the respective counties, on warrants drawn in the usual way.

SECTION 6. That the said commissioners shall meet on or before the first Monday of June next, or as soon thereafter as practicable, and complete the view of said road; and if any vacancy occur, the court of quarter sessions of the county where such vacancy occurs, shall supply by the appointment of suitable persons who shall perform said duty.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

DANIEL L. SHERWOOD,

Speaker of the Senate.

APPROVED—The thirtieth day of March, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

No. 170.

AN ACT

In relation to the obstruction of the Clarion river, and for other purposes.

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 all persons heretofore having erected, or who shall hereafter erect, any dam or dams, or who shall continue the same in the Clarion river, for any purpose whatever, and which dam or dams are not built in accordance to the act of assembly, declaring said stream a public highway,*

Nuisances to be
removed.

and which said dam or dams shall obstruct the free navigation of the said stream, shall be guilty of a public nuisance; and that in addition to the remedies provided by the act of the twenty-third of March, A. D. one thousand eight hundred and three, entitled "An Act to authorize any person or persons owning lands adjoining navigable streams of water declared highways, to erect dams upon such streams for mills and other water works," any person aggrieved thereby shall have the common law remedies for the abatement of the said nuisances; neither shall said act be so construed as to affect the remedies provided by the common law: *Provided*, That this act shall not in any way affect any suit or prosecution heretofore commenced.

SECTION 2. That the stream called Raccoon creek, in the county of Clarion, be and it is hereby declared to be a public highway, from its mouth to the mouth of little Raccoon creek, to all intents and purposes, as are other streams that have been declared navigable. *Raccoon creek in Clarion county, declared a public highway.*

SECTION 3. That Spring creek, in the county of Elk, be and the same is declared a public highway, from the Big Forks of said Spring creek to its mouth, to all intents and purposes of the aforementioned streams. *Spring creek in Elk county, declared a public highway.*

FINDLEY PATTERSON,
Speaker of the House of Representatives.
DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The thirtieth day of March, one thousand eight hundred and forty-six.

FRS. R. SHUNK

No. 171.

AN ACT

To authorize the street and road commissioners of the borough of Gettysburg, to lay out and open an alley in said borough.

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 the street and road commissioners of the borough of Gettysburg, in the county of Adams, be and are hereby required and authorized, on or before the first day of June next, to lay out and open a public alley in said borough, beginning at a point in West Middle street, immediately west of the stable of John Barret, and running thence, due south, to a point on West High street, in said borough, which said alley shall not exceed fifteen feet in width.

FINDLEY PATTERSON,
Speaker of the House of Representatives.
DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The thirtieth day of March, one thousand eight hundred and forty-six.

FRS. R. SHUNK.