

under this act, first deducting the costs as before provided for: *Pro-* *Proviso.*
vided, That the sale hereby authorized shall in no way effect or interfere with the school privilege attached to the lot of ground on which said Stanton meeting house is erected.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

WM. WILLIAMSON,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, one thousand eight hundred and forty-eight.

FRS. R. SHUNK.

No. 185.

AN ACT

Relating to hunting and fishing in the counties of Huntingdon, Carbon, Luzerne, Dauphin, Mifflin, Elk, Pike, Monroe and Butler.

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, if any person or persons in the counties of Huntingdon, Carbon, Luzerne, Dauphin, Mifflin or Elk, shall hunt, chase or pursue with any dog or dogs, with the design to kill or destroy any elk, buck, doe or fawn, within said counties, at any season of the year, or shall entice any dog or dogs to chase as aforesaid, with the like design, he or they, on being convicted thereof, shall forfeit and pay for every such offence the sum of twenty dollars, to be sued for and recoverable with costs of suit before any justice of the peace in the name of the commonwealth, at the instance of any person who will sue therefor, as debts of like amount are now recoverable by law; one-half of said fine or penalty shall be paid to the person or persons suing for the same, and the other half to the treasurer of the school district in which the offence has been committed, for the use of the common schools of such district.

Hunting elk or deer, dogs prohibited.

SECTION 2. From and after the passage of this act, if any person or persons, in the county of Huntingdon, shall catch, take, kill or destroy, or shall fish for, with the design to catch, take, kill, or destroy any luce or pike in the Juniata river or its tributaries, within the said county of Huntingdon, between the first day of March and the first day of September, in each and every year, he or they, on being convicted thereof, shall forfeit and pay for every such offence the sum of five dollars, to be sued for and recoverable with costs of suit before any justice of the peace in the name of the commonwealth, at the instance of any person who will sue therefor, as debts of like amount are now recoverable by law; one-half of said fine or penalty shall be paid to the person or persons suing for the same, and the other half to the treasurer of the school

Fishing in Juniata and tributaries prohibited in certain seasons.

district in which the offence has been committed, for the use of the common schools of such district.

Fishing in Broadhead's or M'Michael's creek, in Monroe county.

SECTION 3. That from and after the passage of this act, it shall not be lawful for any person or persons to fish with nets or seines, exceeding ten feet in length, in the waters of Broadhead's or M'Michael's creeks, in the county of Monroe; nor shall it be lawful for any person or persons to make use of *cauculus indicus*, lime, or any other poisonous mixture in the shape of pills or otherwise, by throwing or causing the same to be thrown into the aforesaid Broadhead's or M'Michael's creek, within the said county of Monroe, for the purpose of taking or catching fish; and any person or persons so offending, on conviction thereof, on the testimony of one or more witness before a justice of the peace of the said county, shall forfeit and pay a fine of twenty five dollars for every such offence, to be recovered as debts of equal amount are by law recoverable, by any person or persons who may sue for the same; one moiety thereof to be paid to the informer, and the other moiety to the supervisors of the public highways of the township where such offence shall have been committed, to be by them applied to improving the roads and highways in their respective townships: *Provided however*, That such prosecution shall be commenced within thirty days after such offence shall have been committed.

Proviso.

Fishing prohibited in lakes or ponds in Pike or Monroe counties for four years.

SECTION 4. That it shall not be lawful for any person to take or kill any pickeral or pike, in any of the lakes or ponds in the county of Pike or Monroe, for the period of four years after the passage of this act, under the penalty of twenty dollars for every offence, to be recovered by action of debt as debts of a similar amount are recoverable, by any person who shall sue for the same in a *qui tam* action; one-half to the use of the supervisor of the roads of the proper township, and the other half to the use of him who sues for the same, or by summary conviction in the name of the commonwealth; in which latter case the whole penalty shall be paid to the supervisors of the township in which the offence shall be committed; and no inhabitant of such township shall be disqualified from being a witness in any suit or prosecution if otherwise entitled to testify.

In Monroe, punishable by imprisonment.

SECTION 5. Any person convicted of fishing as aforesaid, in the said Broadhead's or M'Michael's creeks, upon failure of sufficient goods and chattels whereon to levy or distrain, shall be committed to the jail of the county of Monroe, for the space of not less than eight nor more than twenty days, in the discretion of the court.

Preservation of fish in Connoquenessing creek, repealed.

SECTION 6. That so much of the act passed the twenty-third day of June, one thousand eight hundred and forty-two, entitled "An Act to prevent the destruction of fish in the Allegheny, Monongahela and Ohio rivers, and for other purposes," as relates to the Connoquenessing creek, in the county of Butler, be and the same is hereby repealed.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

WM. WILLIAMSON,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, one thousand eight hundred and forty-eight.

FRS. R. SHUNK.