

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

leading from Reading through Hummelstown to Harrisburg, and as it appears that a well conducted ferry, at that place, would be a public benefit.

[Section I.] (Section I, P. L.) Be it therefore 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 it shall and may be lawful for Christopher Ernst and Samuel Sherer, their heirs or assigns, from and after the passing of this act, to make or cause to be made, at their own proper cost and charge, good and convenient landing on both sides of Swatara creek, on the main road leading from Reading through Hummelstown to Harrisburg, in the county of Dauphin, and shall, at all times hereafter, maintain the same in good order and repair, fit for men, horses and carriages to pass and repass, and further, the said Christopher Ernst and Samuel Sherer, their heirs and assigns, shall provide and maintain a good and substantial boat or boats, and careful ferry-men, who shall duly and constantly attend, as occasion may require, for the purpose of transporting the travellers, horses and cattle over the said creek, which ferry shall be subject to such rules, rates and regulations as the court of quarter sessions of the county of Dauphin may in future direct and appoint.

[Section II.] Provided always, That nothing in this act contained shall be construed to vest in the said Christopher Ernst and Samuel Sherer, their heirs or assigns, any right to land any boat or boats at or upon any land or landing belonging to any other person or persons, without their consent first had and obtained, and the respective rights of Christopher Ernst to the east side or shore, and of Samuel Sherer to the west side or shore, of the said creek, shall remain as heretofore vested in the said Christopher Ernst and Samuel Sherer respectively.

Passed March 17, 1796. Recorded L. B. No. 6, p. 68, etc.