

ing, after the fifth day of June; nor in any part thereof, above the said ford, after the tenth day of June, in every or any year; nor draw any seine or net whatever, for at least thirty-five days next after the expiration of the shad fishing season; nor draw any brush or brush nets at any time, after the passing of this act, in any of the said divisions respectively, according to the time above limited for cessation, under the penalty of ten pounds, to be recovered and applied in the manner and for the uses in the last recited act directed and expressed. (r)

1785.

SECT. XIV. *And be it further enacted*, That the fifth section of an act of Assembly, entitled "A further Supplement to the act, entitled "An Act for making the river Schulykill navigable, and for the preservation of the fish in the said river," shall be, and the same is hereby repealed. (s)

Repeal of
part of a
former law.

Passed 28th March, 1785.—Recorded in Law Book No. II. page 484.

(r) The seines are not to be drawn, between the mouth of the river and the lower Falls, five miles from the city of Philadelphia, after the 20th of May; nor between the said Falls and the Black Rock, near the mouth of French creek, after the 1st of June in every year; nor in any part of the river, from the 1st

of June to the 1st of July annually.— See the act of the 9th of March, 1786. (Note to former edition.)

(s) The act here referred to was passed on the 24th of March, 1781, chap. 919, vol. 1, page 516. (Note to former edition.)

CHAPTER MCXXXVI.

An ACT for vesting in the American Philosophical Society, held at Philadelphia, for the promoting useful knowledge, a certain lot of ground, being part of the State-house square. (t)

[See vol. 1,
page 502.
The Society
incorporated.]

Passed 28th March, 1785.—Private Act.—Recorded in Law Book No. II. page 484.

(t) By this act a lot of ground, being a part of the state-house square, was vested in the American Philosophical Society, with a proviso, that it should be applied to no other use, but that of erecting buildings for the accommodation of the society; but they were vest-

ed with power to lease the premises, under some qualifications, by an act of the 17th of March, 1786.—See ante, chap. 968, where the estate of the Silk Company is transferred to this society. (Note to former edition.)

CHAPTER MCXLIV.

An ACT to authorize the appointment of new commissioners, to execute the act of Assembly, entitled "An act declaring the river Susquehanna, and other streams therein named, public highways, for improving the navigation of the said river and streams, and for preserving the fish in the same," and to extend the powers of the said commissioners to all parts of the same river within this state.

SECT. I. WHEREAS divers of the commissioners named in the act of Assembly, entitled "An act declaring the river Susque-

[See vol. 1,
ch. 465,
page 231, and

1785. hanna, and other streams therein mentioned, highways, for improving the navigation of the same river and streams, and for preserving the fish in the same," which was enacted in the late province of Pennsylvania on the ninth day of March, which was in the year of our Lord one thousand seven hundred and seventy-one, are since deceased, and it is proper that new commissioners be appointed, in the stead of the commissioners who are named in the same act: Therefore,

the notes thereto, and chap. 627, page 324 and the notes thereto subjoined.

The surviving commissioners formerly appointed, superseded and new ones to be appointed.

SECT. II. *Be it enacted, and it is hereby enacted by the Representatives of the Freemen of the commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same,* That the surviving commissioners, who are named in the act aforesaid, shall be, and the same are hereby, superseded; and the President, and in his absence the Vice-President, with the Council, shall, as soon as conveniently may be, nominate and commission twenty persons of knowledge and activity, residing within twenty miles of the said river, or of one of the streams therein named, to be commissioners, for the purpose declared and set forth in the said act, and in this act; who, or the major part of them, or of their successors, to be appointed in the stead of any commissioner who shall resign, remove without the limits aforesaid, misbehave, or die, shall do and perform all the duties, and exercise all and singular the authorities, which, by the act aforesaid, are enjoined upon, or vested in the commissioners in the same act named.

SECT. III. And whereas the commissioners first aforesaid were, by the said act, restrained from clearing and removing the natural obstructions to the navigation of the same river, southward of Wright's ferry: And whereas the extensive countries which are watered by the river Susquehanna, and the numerous branches thereof, are stocked with immense quantities of oak, pine and other trees, suitable for staves, heading, scantling, boards, planks, timbers for ship-building, masts, yards and bowsprits, from which great profit and advantage might arise to the owners thereof, if the same could be conducted in rafts and otherwise, down the said river, to the waters of Chesapeak, which trees must otherwise perish on the lands whereon they grew: For remedy whereof,

The Susquehanna between certain stations, declared a public highway.

SECT. IV. *Be it enacted by the authority aforesaid,* That the river Susquehanna shall be deemed and taken to be a public highway, in all parts thereof within this state, from the division line of the state of Maryland and this state upwards, to the town of Northumberland, in the county of Northumberland, and thence, by and along each of the two great branches of the same river, which meet at the said town, in and throughout the whole length and breadth of the same river; and the duties and authorities of the commissioners, to be named as aforesaid, shall be extended and exercised accordingly.

SECT. V. And whereas the specific penalties, in money, provided and declared in and by the act aforesaid, for the punishment of offenders against the regulations and directions of the same, are, from the rise, which, since the enacting thereof, has happened in the prices of most of the necessaries of life, become too small to enforce obedience thereto: And whereas offences against the same act

are, in some cases, made cognizable before any Justice of the Peace, and the right of trial by jury is thereby infringed: 1785.

SECT. VI. *Be it therefore enacted by the authority aforesaid,* That all the specific penalties, in money, provided and declared by the same act, shall henceforth, in every case, be double the sums therein set forth, and every person who shall be charged with offending against the act aforesaid, or this act, shall be prosecuted in the court of Quarter Sessions of the peace of the proper county, and not in the summary way aforesaid.

Penalties of former acts to be doubled.
How to be recovered

SECT. VII. *Provided always, and be it further enacted by the authority aforesaid,* That the commissioners to be appointed by virtue of this act shall, every year hereafter, before the fifteenth day of March within such year, render to the Comptroller-General of this state a particular account, supported by the proper vouchers, of all the sums of money which shall come to their hands, respectively, and of all sums of money which shall be expended by them, in pursuance of this act, for and during the year preceding, in order that the same may be adjusted, settled, and allowed.

The commissioners to render their accounts yearly, to the Comptroller,

Passed 31st of March, 1785.—Recorded in Law Book No. II. page 493.

CHAPTER MCXLVIII.

An ACT for erecting and opening a Loan-Office, for the sum of fifty thousand pounds. (u)

[FIFTY thousand pounds in bills of credit, emitted by the act of sixteenth March, one thousand seven hundred and eighty-five, (ante. chap. 1126, page 287,) were to be placed in the hands of the Commissioners of the Loan-Office.

SECT. 5. The Trustees of the Loan-Office were appointed, who were to give bond, and take an oath of office, the form of which was prescribed.

SECT. 6. The oath was to be endorsed on the bond, and recorded, and when forfeited, to be sued for the use of the state.

(u) By an act of the 10th of Sept'r, 1785, Rowland Evans was appointed a trustee of the Loan-Office, in the room of Joseph Dean; two of the trustees were authorized to act in all matters relating to the office; and an additional number of signers of the bills of credit, emitted by the act of the 16th day of March, 1785, (ante. chap. 1126,) was appointed. By an act of the 27th of Nov'r, 1787, the mortgagors were allowed to pay the whole or a part of the money borrowed from the Loan-Office, at any time before the time specified in the mortgage; and all the bills of credit of the year 1785, paid into the Loan-Office, were prohibited from being re-issued. By an act of the 26th of March, 1789, the unappropriated interest, payable into the Loan-Office, was carried to a general fund, for the support of government,

&c. which appropriation was confirmed by an act of the 7th of April, 1791. By an act of the 1st of April, 1790, the powers before vested in the trustees of the Loan-Office were transferred to the treasurer of the state, which provision was continued, when a new arrangement of the department of accounts took place, by the act of the 4th of April, 1792. By an act of the 2d of April, in the same year, the sum of £.1000, arising from the interest payable into the Loan-Office, was appropriated for the repairs of Mud-Island.—See chap. 1000. (*Note to former edition.*) [See note to chap. 672, vol. 1, page 403, all the duties now remaining to be performed under this act, are enjoined on the state treasurer by act of April 4th, 1805, (post. chap. 2600.)]