

John Menough, junior, commissioners of Chester county, and their successors in office, are hereby empowered to purchase ground on the west side of the gaol (not exceeding half an acre) in trust for the county, for a gaol yard, and such other public purposes as the said commissioners shall deem proper; and the said commissioners are further hereby empowered to sell and convey, by deed in fee simple, a lot, the property of the county, on the north side of the court-house, prison and prison yard, upon this condition and restriction, that the purchaser, his heirs and assigns, shall erect no buildings of any kind on or over the side lot, but shall permit the same to remain forever an open highway; and the said commissioners, and their successors in office, are hereby further empowered to sell and convey, by deed in fee simple, any other lot or lots heretofore purchased for the use of the county, on which no public buildings are erected; and the money arising from such sale or sales to be applied for the use of the county.

Passed March 12, 1800. Recorded L. B. No. 7, p. 133.

CHAPTER MMCXXVI.

AN ACT TO AUTHORIZE CHRISTIAN BEAR TO ERECT A MILL-DAM IN SWATARA CREEK, IN THE COUNTY OF DAUPHIN.

Whereas it has been represented to the legislature of this state, by petition from a number of the inhabitants of Derry, Londonderry and Hanover townships, in the county of Dauphin, that Christian Bear is proprietor of a plantation advantageously situated for water works, adjoining the Swatara creek, in the county aforesaid, which creek, is by the laws of this commonwealth declared to be a public highway, and apprehending that the waters of said creek may be swelled by a dam, so constructed as not to impede the navigation thereof, hath prayed the legislature to

authorize him to erect a dam in the said creek, opposite to his land, about half a mile from Hummelstown, he having obtained the consent of Peter Eversoll, the owner of the land on the opposite side of the creek. And whereas it appears to the legislature to be reasonable and proper to grant the prayer of the said petitioners. Therefore:

[Section I.] (Section I, P. L.) 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 it shall and may be lawful for the said Christian Bear, his heirs and assigns, and they or either of them are hereby authorized and empowered to erect, support and forever maintain, a mill-dam across Swatara creek, opposite to the plantation of the said Christian Bear, so as to raise the water eighteen inches above the common surface, for the purpose of supplying such mills, or other water works as he or they may think proper to erect thereon.

[Section II.] (Section II, P. L.) Provided always nevertheless, and be it further enacted by the authority aforesaid, That such dam be so constructed and kept in repair, with a proper slope or slopes, and a lock or locks, whereby the navigation of the said creek will not be injured, nor the passage of fish prevented.

[Section III.] And provided also, That the rights of all and every person and persons whomsoever, shall be and remain inviolate, and shall not be affected by this act, and especially that the privileges granted to Adam Hamaker, and the company incorporated for the purpose of opening a canal and lock navigation from Susquehanna to Schuylkill, shall not be impaired or infringed by anything herein contained.

Passed March 12, 1880. Recorded L. B. No. 7, p. 153, etc.