

as shall be found due to the said county of Tioga, and received to the use of the same, by the act of the general assembly of this commonwealth, passed the third day of February, Anno Domini one thousand eight hundred and six.⁽²⁾ And if on examination, it be found that a balance is due from the county of Tioga to the county of Lycoming, then it shall be the duty of the commissioners of Lycoming to call upon the commissioners of Tioga county, and recover said balance.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That so much of any act or acts of the general assembly as is altered or supplied by this act, be and the same is hereby repealed.

Approved February 1, 1808. Recorded in L. B. No. 11, p. 149.

Note (1) Chapter 2694; Supra this volume, p. 223.

Note (2) Chapter 2641; Supra this volume, p. 54.

CHAPTER MMDCCCXCV.

AN ACT TO DECLARE CERTAIN PARTS OF MUDDY CREEK, IN THE COUNTY OF CRAWFORD A PUBLIC HIGHWAY.

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 from and after the passing of this act, Muddy creek from its junction with Hucheson's saw-mill run, to its confluence with French creek shall be, and the same is hereby declared a public highway for the passage of rafts, boats and other water carriage, under the limitations and restrictions hereinafter specified; and it shall and may be lawful for the inhabitants desirous of using or promoting the navigation of said creek, to remove all natural obstructions in said part or parts of said creek, from the mouth of said saw-mill run to French creek, as may be necessary for the passage of rafts, boats, and other water carriage.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That nothing in this act contained

shall be deemed, taken or understood, to prevent any person or persons possessing lands on the said creek, who before the passing of this act had authority under the laws of this commonwealth, to erect a dam, or dams, from erecting any such dam or dams that he, she or they may think proper; Provided always, that such dam or dams shall be so constructed and kept in repair, with such a proper slope or slopes, or with a lock or locks, whereby the navigation of the said creek shall not be injured.

Approved February 1, 1808. Recorded in L. B. No. 11, p. 151.

CHAPTER MMDCCCXCVI.

AN ACT DECLARING PART OF LACKAWAXEN CREEK IN WAYNE COUNTY, A PUBLIC HIGHWAY.

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 Lackawaxen river in the county of Wayne, from the falls thereof to the Dyberry forks, and thence up the Dyberry branch and West branch to the Great falls of the respective branches, be, and the same is hereby declared a public highway for the passage of rafts, boats and other vessels; and it shall be lawful for the inhabitants and others desirous of using the navigation of the said river, to remove all natural and artificial obstructions which may be in the same, excepting dams for mills, and other water works, and also to erect such slopes at the mill-dams now built in the said river, as may be necessary for the passage of rafts, boats or other vessels; Provided, such slopes be so constructed as not to injure the works of said dams; And provided also, that any person or persons owning or possessing lands on said river, shall have liberty to construct any dam or dams across the same, agreeably and subject to all the restrictions and provisions of an act of the general assembly