

month of November, one thousand seven hundred and eighty, when (owing to extreme hardship) a severe fit of illness reduced him to the necessity of resigning his commission, his life being in imminent danger; that he never recovered his health, and is now advanced in years, and unable, from his infirmities, (the result of severe service) to maintain himself and a numerous family; that it appears equitable and just, under a situation so peculiarly distressing, that he should be placed on a footing with those who served to the end of the war: 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 the officers of the land office be, and they are hereby directed and required to grant a patent to James Norris, his heirs and assigns, for such a share of the donation land as a lieutenant is entitled to, who served in the line of this State, in the army of the United States, to the end of the late revolutionary war.

Approved February 1, 1808. Recorded in L. B. No. 11, p. 162.

CHAPTER MMCMII.

AN ACT DECLARING PART OF WALLENPAUPACK 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 Wallenpaupack creek, in the county of Wayne, from the falls thereof at Wilsonville, to the forks of said creek and thence up the West branch to where the North and South road crosses, and up the South branch to the upper end of Newfoundland settlement, 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 creek, 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 creek, 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 creek, 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 of this commonwealth, passed the twenty-third day of March, one thousand eight hundred and three, entitled "An act to authorize any person or persons, owning lands adjoining navigable streams of water, declared public highways, to erect dams upon such streams, for mills and other water-works."⁽¹⁾

Approved February 4, 1808. Recorded in L. B. No. 11, p. 163.
Note (1) Chapter 2353; 17 Statutes at Large, p. 297.

CHAPTER MMCMIII.

AN ACT TO ENABLE THE TRUSTEES OF THE GERMAN LUTHERAN CONGREGATION, OF THE TOWNSHIPS OF ALBANY AND LINN IN BERKS AND NORTHAMPTON COUNTIES, TO CONVEY TO THE TRUSTEES OF THE GERMAN REFORMED CONGREGATION, AN EQUAL RIGHT TO A CHURCH AND TRACT OF LAND THEREIN DESCRIBED.

Whereas it is represented that the Reverend Henry Melchior Muhlenberg by deed poll, dated the tenth day of July, Anno Domini one thousand seven hundred and seventy, conveyed a church and tract of fifty acres of land to Philip Stambach, Jacob Gortner, Valentine Brobst, Matthias Brobst and George Kestler and their successors, trustees of the German Lutheran Congregation; in the townships of Albany and Linn in the counties of Berks and Northampton, in trust to, and for the only proper use, and behoof of an Evangelical Lutheran Congregation, in the aforesaid townships and counties, that the said church is now very much out of repair, and must be re-