

BRIDGES, ETC. OBSTRUCTING NAVIGATION PROHIBITED

Act of Aug. 14, 1725, 1 Sm.L. No. 288

Cl. 36

AN ACT

For the better preventing obstructions to the navigation of Chester creek, and other navigable creeks and rivers in this province.

Section 2. And whereas the erecting of bridges over creeks or rivers of water, to the obstruction of their navigation, where navigable, doth not only affect the interest of the owners of lands upon and near navigable waters above those bridges, but also the trade of this province in general: And the better to preserve the navigation of those rivers and creeks, divers laws of this province have from time to time been enacted, but the same, upon experience, have been found not fully to answer the ends thereby intended: Be it therefore further enacted, That no bridge, frame or device whatsoever, shall, at any time to come, be made, erected, upheld, sustained or repaired, over any creek or river within this province, navigable for any sloop, shallop, flat, or other craft, that shall or may in any wise stop or hinder the navigation of any such sloop, shallop, flat or other craft, or floats of logs; any law, custom or usage, to the contrary thereof in any wise notwithstanding.

Section 3. Provided always, That nothing herein contained shall be construed to forbid or hinder the maintaining and repairing the drawbridge hereinbefore particularly mentioned, or any other bridge erected by public authority, or the making of dams, mounds or tide banks, for the draining of low grounds, and improving of meadows, by the owner or owners of the greater part of the lands, low grounds, or meadows, included within the same dams, mounds or tide banks, anything herein contained to the contrary in any wise notwithstanding.