

No. 5.

AN ACT

Authorizing the mayor, aldermen and citizens of the city of Pittsburg, to rebuild or repair the aqueduct over the Allegheny river at said city.

SECTION 1. *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 mayor, aldermen and citizens of the city of Pittsburg, be and they are hereby authorized and empowered to rebuild or repair the aqueduct over the river Allegheny, which connects, at said city, the Allegheny and Monongahela branches of the Western division of the main line of the Pennsylvania canal, upon such plan as may be approved by the board of canal commissioners; the cost whereof to be paid by the said the mayor, aldermen and citizens aforesaid.

SECTION 2. That in consideration of the expenditure incurred in accordance with the provisions of the first section of this act, an accurate account of which shall be kept, and on completion of the said aqueduct shall be filed in the office of the board of canal commissioners; the said the mayor, aldermen and citizens of the city of Pittsburg, shall be authorized to levy and collect for their own proper use a rate of toll not exceeding one dollar and fifty cents on each boat, and on passengers, horses and live cattle, a rate of toll not exceeding the rates established by the board of canal commissioners, for the year, Anno Domini one thousand eight hundred and forty-three, for crossing the said aqueduct; and it shall be the duty of the mayor, aldermen and citizens aforesaid, to furnish the board of canal commissioners on the first day of January in each and every year, under oath, a statement of the amount of receipts for tolls during the preceding year, together with a statement of the expenses incurred for the collection of the same: *Provided,* That the board of canal commissioners shall have the entire control of the water in the canal at the city of Pittsburg, the same as though this act had not been passed.

SECTION 3. Whenever the commonwealth shall reimburse the mayor, aldermen and citizens aforesaid, for the expenditure incurred in rebuilding or repairing the said aqueduct, after deducting the excess of the receipts over and above the expenses for collecting the same, and the cost of incidental repairs, together with six per centum per annum on the cost of rebuilding or repairing the said aqueduct, then the authority to collect the tolls as provided for in the second section of this act, shall cease and determine; and the canal commissioners shall proceed to collect the tolls for crossing the said aqueduct, under such regulations as they may from time to time adopt.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The nineteenth day of January, one thousand eight hundred and forty-four.

DAVID R. PORTER.