

as the said canal navigation may extend within the limits of this state, and the said subscribers having such authority, shall be incorporated, as aforesaid, and shall proceed in the said work with all convenient speed; and if the said company shall not proceed to carry on the said work within the space of two years after they shall have been incorporated, or shall not, within the space of seven years from the passing of this act, complete the said canal navigation, the water in the same being of the depth of three feet and of the width of twenty feet at the least, then and in either of those cases, it shall and may be lawful for the legislature of this commonwealth to resume all and singular the rights, liberties and privileges hereby granted to the said company.

[Section XXII.] (Section XXII, P. L.) And be it further enacted by the authority aforesaid, That if at any time hereafter the said president, managers and company shall think proper to extend the said canal navigation further up the branches of the said creek, or either of them, than is hereinbefore mentioned, they are hereby authorized and empowered to do the same, under the same regulations and restrictions, and with the same powers, privileges, franchises and emoluments as is hereinbefore mentioned.

Passed April 10, 1793. Recorded L. B. No. —, p. —. (not given).

Supplement passed March 19, 1794; Chapter 1720. Further supplement passed February 21, 1795; Chapter 1799.

CHAPTER MDCLXXXV.

AN ACT TO AUTHORIZE ANDREW PIERCE, OF ALLEGHENY COUNTY, TO KEEP IN REPAIR A MILL-DAM ACROSS A PART OF MONONGAHELA RIVER.

Whereas it has been represented to the general assembly, that it would be very beneficial to a number of the inhabitants of Washington and Allegheny counties, that a mill-dam erected across a part of Monongahela river by Andrew Pierce, of Allegheny county, which dam was begun prior to the said river

being declared an highway, should be suffered to remain and to be kept in repair, under certain restrictions.

[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 Andrew Pierce, of Elizabeth township and Allegheny county, his heirs or assigns, be and they are hereby empowered to keep in repair a dam erected across part of Monongahela river by the said Andrew Pierce, at the place within the township aforesaid where he has built a mill on the bank of the said river.

Provided however, that no part of the said dam shall be raised more than two feet above the low water mark, and that the said Andrew Pierce, his heirs or assigns, shall not extend the said dam further across the said river than it now does extend.

And provided also, that the said Andrew Pierce, his heirs or assigns, shall, within the term of three years from and after the passing of this act, erect a lock at or near the said dam, of open a canal or passage and lock into and through which canal or passage and lock boats of fifty feet in length, and fifteen feet in width, and drawing eighteen inches of water, may safely enter and pass at all times, when the water shall have risen twelve inches, and not exceeding four feet above the common low water mark in the said river, estimating the said rise of water at such pool within five miles thereof where there shall be the least velocity in the current of the said river, which said lock and canal or passage the said Andrew Pierce, his heirs and assigns, shall forever maintain and keep in repair, so that boats and rafts of the above dimensions and draft of water, or under, may at the times above mentioned, when the cable by ice, pass and repass in the same, and use and enjoy the benefit of the said lock and canal or passage, free of toll, and any and every other charge whatsoever, or otherways they shall lose the benefit of this act.

Passed April 11, 1793. Recorded L. B. No. —, p. —. (not given).