

JOINT RESOLUTION NO. 5.

Authorizing the Board of Public Works to require the Baltimore and Ohio Railroad Company to keep a steam tug or tow boat at the span or draw in its bridge over the Susquehanna river and tow vessels under the span of said bridge on the Philadelphia branch of its said road, and also to remove all abandoned piling and other obstructions placed under and near said bridge by its agents, employees or contractors.

Whereas, It appears from the Act of 1882, Chapter 223, of the General Assembly of Maryland, that the Baltimore and Ohio Railroad Company were authorized and empowered, in the construction of the Philadelphia branch of its said road, to construct and maintain a bridge over the Susquehanna river between Cecil and Harford Counties, in said State; and,

Whereas, The said railroad company was thereby required, before constructing any bridge over and across said river, to first obtain the approval of the Board of Public Works of the plans and character of the bridge to be constructed by it, and the said board was authorized to prescribe all necessary conditions for the construction and use of said bridge so as not to impede navigation; and,

Whereas, The said railroad company submitted certain plans by which it agreed to erect and maintain a span of said bridge over the channel of the said river ninety feet above ordinary tide water for the passage of vessels thereunder and keep a steam tug or tow boat at that point during the season of open navigation of said river, to tow all vessels requiring it under said bridge, which was approved by the said Board of Public Works on the 9th day of August, 1883. And the said railroad company thereupon built said bridge, but has neglected to comply with the conditions to keep and maintain a steam tug or tow boat at said point to tow vessels as provided in the Second Section of the Act of 1882, Chapter 223, whereby the commercial interest of the State has been and is being greatly injured; and,

Whereas, The said railroad company has suffered certain abandoned piling and other material used in the construction and repair of the said bridge to be and remain in the bed of the said river under and near said bridge, whereby sand and mud bars are being there formed and the river filling up and navigation is thereby being obstructed and the lives and the property of the citizens of this State, navigating the said river in boats and vessels, endangered; therefore,

Be it resolved by the General Assembly of Maryland, That the Board of Public Works of this State is hereby instructed