

observed in the interpretation of statutes.—It is not in-
ferred to be said that the proprietors are authorised to pur-
chase land to any extent, restrained by no law but their
will. This right of purchase is co-extensive only with the
necessity necessary or convenient for effectuating the purposes
proposed by the act of incorporation. The establishment
of the adverse proposition would exhibit the legislature of
the state in the attitude of granting to these proprietors well
defined rights, and withholding from them in the same in-
strument the means necessary for their execution.

It is true the proprietors have placed a different construc-
tion on this act—but their construction does not conclude
the question. Their construction can neither abridge nor
enlarge their rights even if it received the approbation of
each party to the contract. Entertaining this view of the
subject all legislation is deemed unnecessary, and the bill
reported by the minority of the committee, should it receive
the sanction of both branches of the legislature, will be in-
operative until it shall have received the approbation of the
proprietors of the canal, whose rights cannot be violated by
legislative enactment.

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