

should commence. But it is sufficient to say that they have not determined it; and we can easily imagine many good reasons why they have not.

It has also been suggested that this company is only a substitute for the old Potomac Company, that the object is the same, and that all the property, rights, privileges, and powers, of the old company are transferred to the new; and, therefore, that the new company cannot extend the canal further down into the District than the works of the old company extended. But the old company was by its charter obliged to "make at or near the Little Falls such canal and locks, if necessary, as will be sufficient and proper to let vessels and rafts aforesaid into tide water." But no such limitation is contained in the new charter; nor are the powers of the new charter at all limited by reference to those of the old. Whatever analogy there may be between the object and powers of the old company and those of the new, it does not affect the plan and clear provisions of the latter.

Not perceiving any ambiguity or uncertainty in the provisions of the present charter, in regard to the place of commencement of the canal, and being of opinion that the fixing the precise point of commencement is left to the discretion of the company, within the limits fixed by the charter, it is unnecessary to examine the extraneous matter which has been offered in evidence, such as the memorials of the Committee of the Canal Convention, &c.; for whatever looseness or uncertainty there might be in papers of that kind, where the precise point of beginning was not the object of these memorials, the terms seem to be sufficiently settled by the charter itself.

The company, therefore, having the right to determine upon the precise place of commencing the eastern section of the canal, within the limits prescribed to them by their charter, and, having so determined it, have a right to obtain by agreement or condemnation all the land that may be "necessary for the making of the said canal, dams, locks," &c. And the only remaining question is, whether the proceedings in obtaining the condemnation of the land mentioned in this inquisition are correct, and can be sustained.

The first objection taken to them is, that the warrant is insufficient.

1st Because it is general, embracing land belonging to divers persons, having no connexion with each other,

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