

C H A P. XVI.

and that it shall and may be lawful for the said president and directors, after the said canal shall be made navigable, to demand and receive the following tolls at such place or places in the canal as they may hereafter direct, provided that the whole toll received shall not amount to more than the rates fixed by this act; that is to say,

	Dolls.	Cts.
Every pipe of wine or French brandy containing more than one hundred and twenty gallons,	1	25
Every hoghead of rum, or other spirits,	1	0
Every hoghead of tobacco,	1	0
Every hoghead of beer, cyder, rice or molasses,		75
Every barrel,		25
And all other casks or kegs in proportion according to the quantity and quality of their contents.		
For casks of linseed oil, same as spirits.		4
Every bushel of wheat, peas, beans or flax-seed,		2
Every bushel of Indian corn, or other grain or salt,		30
Every barrel of pork, beef or fish,		20
Every barrel of flour,	2	0
Every ton of hemp, flax, potash, bar or manufactured iron,	1	0
Every ton of pig-iron or castings,	1	0
Every ton of copper, lead, or other ore, other than iron ore,		50
Every ton of stone or iron ore,		37
Every chalon of coals,		10
Every hundred pipe or hoghead staves, or pipe or hoghead heading,		6
Every hundred barrel staves or barrel heading,		75
Every thousand shingles, two feet long or more,		50
Every thousand shingles less than two feet long,		75
Every hundred cubic feet of plank or scantling,		40
Every hundred cubic feet of other timber,		10
Every gross hundred weight of all other commodities or packages,		
And for all other commodities, the same proportion, agreeable to the articles herein enumerated.		

And every boat or vessel which has not commodities on board to pay the sum of four dollars, shall pay so much, as, with the commodities on board, will yield the sum aforesaid. And every empty boat or vessel, four dollars, except an empty boat or vessel returning, whose load has already paid the tolls affixed, in which case she shall repass toll free; provided such boat or vessel shall return within fourteen days after paying said tolls.

On refusal to pass, vessels may be refused passage, &c.

X. AND BE IT ENACTED, That in case of refusal or neglect to pay the toll at the time of offering to pass through the said canal, and previous to the vessel's passing through the same, the collectors of the said tolls may lawfully refuse passage to such vessel; and if any vessel shall pass without paying the said toll, then the said collectors may seize such vessel wherever found, and sell the same at auction for ready money, which, so far as is necessary, shall be applied towards paying said toll, and all expences of seizure and sale, and the balance, if any, shall be paid to the owner, and the person having the direction of such vessel shall be liable for such toll, if the same is not paid by the sale of such vessel as aforesaid; provided that the said proprietors, or a majority of them, holding at least five hundred shares, shall have full power and authority, at any general meeting, to lessen the said tolls, or any of them; provided also, that the same rate of tolls shall be paid on articles passing from Chesapeake to Delaware as upon those paid from Delaware to Chesapeake.

Canal, &c. to be esteemed a public highway, &c.

XI. AND BE IT ENACTED, That the said canal, and the works to be erected thereon in virtue of this act, when completed, shall for ever thereafter be esteemed and taken to be navigable as a public highway, free for the transportation of all goods, commodities or produce whatsoever, on payment of the tolls imposed by this act; and no toll or tax whatever for the use of the water of the said canal, and the works thereon erected, shall at any time hereafter be imposed by all or either of the said states.

President, &c. may purchase land, &c.

XII. AND, whereas it is necessary for the making the said canal, and supplying the same with water, that provision should be made for condemning a quantity of land for these purposes, BE IT ENACTED, That it shall and may be lawful for the said president and directors, or a majority of them, to purchase, from the owners thereof, any land through which the said canal is intended to pass, or through which it may be necessary to supply water to the same; and in case of disagreement, or in case