

The specified and known objects of a canal give to it that which may be called its peculiar character, and shew to what class it belongs. All canals of that class which are intended to facilitate the transportation of the productions of the interior to tide for exportation, and of the importation of foreign commodities by the same route, must terminate at the port or point where alone the two forms of transportation can conveniently meet. The Chesapeake and Ohio Canal is intended to be one of this character; and therefore, it must have such a termination; unless it be otherwise expressly provided by law.

This canal is described in the preamble of the Act of incorporation, and in its twentieth section, which recognizes and affirms that given in the preamble. In these provisions we have the objects of the great work distinctly specified. They were to establish a * connected navigation between the eastern and western waters, so as to extend and multiply the means and facilities **164** of internal commerce, which would produce the happy results set forth. And the route which it was to take, up the valley of the Potomac, and thence over to the Ohio, is specified by the declaration, that it is "to be fed through its course, on the east side of the mountain, by the River Potomac, and the streams which may empty therein; and on the western side of the mountain, and passing over the same, by all such streams of water as may be beneficially drawn thereto by feeders, dams, or any other practicable mode." The terminations are described by a reference to the great object expressed, of "a connected navigation between the eastern and western waters." Our eastern tide waters navigated by ships and marine vessels to the ports, or highest point of convenient tide navigation; and our western waters are navigated to great advantage, and chiefly by steamboats. These two forms of navigation, it is proposed to connect together by one unbroken line of canal; and the terminations of this new artificial connecting line of navigation are specified accordingly, with a distinct reference to the pre-existing modes of navigation. "A navigable canal from the tide water of the River Potomac in the District of Columbia, passing along the route indicated, to the highest steamboat navigation of the Ohio River, or of some one tributary stream thereof." 1824, *ch.* 79.

Here we find the western termination specified by designating the kind of vessel which the canal boat must be enabled to meet there; she must have it in her power to lay alongside of a steamboat in the waters of the west; and thus the connexion with those waters was to be formed. Hence it is manifest, that the connexion with the eastern waters was to be formed in like manner; that is, that the canal boat should be enabled to meet a ship, by which kind of vessels alone the tide waters of the east are navigated.