

ration, as to the terminations of the great line of canal navigation, which it was the design of this law to cause to be constructed. The court cannot think, that this act of incorporation is so very obscure as it has been said to be, in relation to the terminations of the projected canal. But, allowing it to be so, to a considerable degree, it will be fit and proper, after so much argument has been bestowed upon the subject, to say something as to the extent and nature of the external help, that may be called in upon this occasion.

No verbal proof can be admitted to explain a written contract, much less should it be allowed to introduce such testimony to shew what was the true meaning of an act of the legislature. If the language used be absolutely contradictory and absurd, the law cannot be carried into execution, and the design of the legislature, however well known it may be from inference or other circumstances, not having been expressed, must altogether fail. (c) A latent ambiguity is one which is not apparent upon the instrument itself; but becomes so by applying it to the subject to which it relates; as, if it disposes of a tract of land by name, and the maker of the instrument has two tracts of the same name; in such case proof is allowed to shew which of the two was meant. But this act of incorporation is not charged with being ambiguous in this sense; nor is it alleged, that its otherwise clear phraseology has been in any manner thrown into doubt and confusion by any exhibition of the facts, circumstances, and things to which it relates; on the contrary, those great objects, the rivers, and the mountains of which it speaks, now as when it was passed, had their existence in nature on the surface of the country, unchanged and unchangeable; and therefore, a latent ambiguity, in any legal sense of that expression, cannot be shewn to exist by any proof whatever.

The act provides for the making of a 'navigable canal from the tide-water of the river Potomac.' And the question arising out of this expression is, as to where the canal shall begin. Hence it is obvious, that the proof of facts and circumstances of any kind, as evidence of what was really intended to be the point of beginning thus described, can only be allowed on the ground, that it is admissible thus to assist in the interpretation of expressions which are doubtful upon their face, and so to aid the court in making out the sense of the legislature by other means than the language used,