

CHAP. 297.

Forfeit in case of neglect.

manner may be broken up and removed from the canal, or any of its basins, ponds or feeders, any boat, float or other substance, floating loose upon, or sunk therein, the owner of which is unknown, or if known, neglects or refuses, after reasonable notice to remove the same; and the materials of the broken boat, float or other substance, so broken up and removed, shall be the property of the canal company, and be applied to defray the cost of breaking up and removing such nuisance.

Collection of tolls secured.

Sec. 4. *And be it enacted*, That it shall be lawful for any collector of tolls, to refuse to pass any boat, float, produce or other article, through any part of the Chesapeake and Ohio Canal, or its locks, until the tolls properly chargeably thereon shall be paid, and if any boat, float, produce or other article shall pass through any part of the canal or its locks, and the owner, captain, or other person having charge thereof, shall neglect or refuse to pay the tolls due thereon, then any collector of tolls in the employment of the canal company, may seize such boat, float, produce, or other article wherever found, and sell the same at auction for ready money, which so far as may be necessary, shall be applied towards paying the said toll, and all expenses of seizure and sale, and the balance, if any, shall be paid to the owner.

Use of materials for repairs &amp;c authorised.

Sec. 5. *And be it enacted*, That whensoever it may be necessary to obtain earth, stone, timber, or other materials for repairing the Chesapeake and Ohio canal, or any of its appurtenant works, and the president and directors of the canal company, or their properly authorised agent cannot agree with the owner or owners thereof, for the same; or, where the owner, or owners thereof shall be a femme covert, under age, non compos, or out of the state, district, or county, the same proceedings shall be had to obtain the same, as are required by the fifteenth and nineteenth section of the act of the general assembly of Virginia, entitled, An act incorporating the Chesapeake and Ohio Canal Company, and confirmed by the general assembly of Maryland, at its December session, of the year eighteen hundred and twenty-four, in relation to the purchase or condemnation of lands and materials for the construction of the canal.

Process of obtaining.

Immediate use secured.

Sec. 6. *And be it enacted*, That whenever it shall be necessary for the said company to require a condemnation of any materials for repairing the said canal or its appurtenant works, the said company, or their properly authorised agent, may immediately take and use the same, having first caused the property wanted, to be viewed by a jury, and it shall not be necessary after such view, to wait the issue o