

the construction of said company's canal with due supply of water, be practicable, from the Chesapeake and Ohio canal to the city of Baltimore, by the vallies of the Monocacy and Patapsco, or by a route diverging from the said Chesapeake and Ohio canal at the mouth of the Seneca River, exclusively within the limits of this State, and that if the construction of such canal be decided by the Governor and Council to be practicable by either of said routes, and if in that case the said company by certificate to the Governor and Council, under its corporate seal, and signed by its president, shall after such decision testify its agreement to locate and construct its canal upon the most northern practicable route of these routes, said subscription shall be and is hereby authorised to be made, and in order to said decision the Governor and Council may act upon any report and estimates of any engineer or engineers of said company, and of the Mayor and city Council of Baltimore, and upon those of any that by the Governor and Council, may for the purpose, at the expense of the said company, be appointed, who are hereby authorised and directed to appoint an engineer for that purpose, and it is hereby further declared that it shall be the duty of the Governor and Council within sixty days after a report and estimate or reports and estimates, by an engineer or engineers as aforesaid, shall have been submitted by them to the Governor and Council, or filed with the clerk of the council, to decide upon the practicability of said route, and in case the said Governor and Council shall not decide upon the practicability of said route, within sixty days after a report and estimates shall have been submitted to them, as aforesaid, then the president and directors of said Maryland canal company, shall have power to make the said decision, and their decision shall have the same effect as if such decision had been made by the Governor and Council as aforesaid; *And be it further enacted,* That the subscription hereby authorised to the Chesapeake and Ohio canal company and to the Baltimore and Ohio rail road company shall not be made until the Maryland canal company, shall by their president and directors, have certified

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Route

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Most northern practicable route

Governor & Council within sixty days shall determine

Case of their omitting. Md canal company may decide

Subscription to the Ch & O C C. and Balt. and O. R R. Co. dependent upon a sufficient subscription to the Maryland canal company

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