

company, or to the use of the material required and a fee simple interest in such lands as may be condemned for the erection of wharves thereon; provided no wharf already in existence shall be the subject of inquisition, and provided all costs of such condemnation shall be defrayed by said company, except the costs of such witnesses as may be summoned by the owners, and except the cost of confirming said inquisition in said Circuit Court when the same shall be contested by the owner or owners, guardian or committee, in which case such costs of confirmation shall abide the decision of the court.

Provided all costs.

SEC. 13. *And be it enacted*, That the channel or canal and harbor made under the provisions of this act, shall be deemed and is hereby declared a public highway, subject to the impositions of tolls or charges to be hereafter regulated by this act.

Public highway.

SEC. 14. *And be it enacted*, That said company may and shall be authorized to charge and levy on every steamer, schooner or other kind of vessel or craft above twenty tons burthen, crossing the bar off against said Secretary creek, or entering the canal, channel or harbor aforesaid, toll or port dues not exceeding five cents per ton, which charge shall be a lien upon such steamer, schooner or other kind of vessel or craft, and enforced summarily by distress or recovered as other debts against the owner or owners before any justice of the peace or any Circuit Court of the State that may have jurisdiction of the amount claimed in addition to other legal remedies.

To charge and levy.

Enforced summarily.

SEC. 15. *And be it enacted*, That the said president and directors shall annually or semi-annually declare and make such dividends as they may deem proper of the net profits arising from the resources of said company, after deducting the necessary current and probable contingent expenses, and they shall divide the same amongst the stockholders of said company in proportion to their respective shares.

Make dividends

Deduct expenses.

SEC. 16. *And be it enacted*, That nothing in this act shall be construed to authorize said company to issue any note, token or script to be used as currency, and the legislature hereby reserves the right to amend or repeal this act at pleasure.

Not authorized to issue currency.