

CHAP. 136.



tively assigned for its commencement and completion, then the right of said company to make and complete said section shall utterly cease, and the state of Maryland may construct the same herself, or may grant the privilege of constructing the same to some other company, with as full and ample powers as are or may be possessed by the company hereby incorporated.

Engineers to be
appointed—Con-
nection of sec-
tions

13. *And be it enacted*, That immediately after the said company shall have been organized, and before the location of any part of said canal, the president and directors of said company, or a majority of them, shall appoint an engineer or engineers, whose duty it shall be to act under the superintendence of the commissioners appointed on the part of the two states, to take the stock of the company, and to make all such surveys as they may be directed to make by said commissioners, or a majority of them; and that the said commissioners, or a majority of them, shall cause surveys to be made, by such engineers, of the several practicable route to tide, from the beginning of said northern section in connection with the Pennsylvania state canal, in order to the determination of their relative facilities and cost, and that before they shall select any location for such section, they shall cause such survey and examinations to be made as shall demonstrate or test the possibility of constructing said southern section of said canal, in connection with the northern section, by some method which will not occasion an interruption or obstruction of the continuous navigation for canal boats; and when such surveys have been made, the said commissioners, or a majority of them, shall select some route for such northern section which will admit of such possible connection of the northern and southern, they giving preference in such selection, as far as possible, to that route which will present the greatest facilities in the descent to tide, and along which the said canal can be conducted at the least expense; and they shall make a return of such location to the president and directors of said company, who shall construct and complete said section upon and according to such location, but shall have power to change the same by the consent of said commissioners, or a majority of them; *Provided however*, that if the commissioners in constructing the said canal along the margin of the river, should find it necessary to interfere with the navigation of the bed of the river, they shall provide as good and safe a passage on the bed of the river as the one so interfered with.

Provide

Location of southern section—
Towing paths, &c

14. *And be it enacted*, That the president and directors of said company may locate the southern section of said canal, provided only that they shall be required so to connect it with the said northern section, as not to occasion an interruption of the continuous navigation for canal boats, in passing from one section to the other, and that in the construction of either section, the said president and directors shall have power to make or to contract with others for making said canal, or any part thereof, and they, their agents, or those with whom they may contract, shall have power to cut canals, build aqueducts and towing-path bridges, erect dams, open feeders, construct locks, and may do, make and construct, all such works as may be necessary or expedient for constructing said canal, and to keep in repair the said