

for the transportation of their own coal, iron or other minerals or goods, at the expiration of each and every year, from and after six months after the completion of said canal to Cumberland; *provided*, that nothing herein contained shall be construed to exonerate or release the said companies, or owners and proprietors, from the payment of the full regular charge of tolls upon the whole amount of articles transported by them, whenever the same shall, at the rates of toll charged or to be charged by the canal company, exceed in cost the aforesaid sum of two hundred thousand dollars.

CHAP. 31.

SEC. 13. *And be it enacted*, That the Attorney General of this State is hereby required to institute proceedings to foreclose the mortgages, and enforce the liens and pledges which the State now holds on the revenues, profits, tolls and properties of said company, which have been made and executed under and by virtue of existing acts of Assembly.

Proceedings to be instituted

SEC. 14. *And be it further enacted*, That the appropriation authorised by this act, shall be applied exclusively to the future construction of the said Chesapeake and Ohio Canal to Cumberland, and to no other use or purpose whatsoever.

Loan to be applied only to construction

CHAPTER 31.

*An act to make valid a certain Deed therein mentioned.*

Passed April 6, 1841.

WHEREAS, a certain Scarth Hellen, of Calvert county, sometime about the year eighteen hundred and five, died, seized and possessed of a certain tract of land, lying and being in Christ Church Parish, in Calvert county, containing about two hundred and seventy-two acres of land, more or less, did in his last will and testament, will, devise and bequeath the whole of said land to the vestry of the Episcopal church, and their successors; *and whereas*, the vestry of said church have deemed it wise, and greatly to the interest of said church, to sell said land; *and whereas*, a certain Thomas J. Hellen became the purchaser thereof, and has obtained from said vestry and wardens a deed for said land, bearing date the thirtieth day of November, eighteen hundred and forty—therefore,

Preamble