

through the District of Columbia, on either or both sides of the river Potomac; *Provided*, that before this act shall take effect, the congress of the United States shall authorise the states of Virginia and Maryland, or either of them, to take and continue a canal from any point of the above named canal, or the termination thereof, through the territory of the District of Columbia, or any part thereof, to the territory of the said states, or either of them, in any direction they may deem proper, upon the same terms and conditions, and with all the rights and privileges and powers of every kind whatsoever, that the company incorporated by this act have to make the Chesapeake and Ohio Canal; *And provided also*, that in taking or extending such lateral canal or canals through the District of Columbia by either of the said states, no impediment or injury be done to the navigation of the said Chesapeake and Ohio Canal.

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Provisos.

22. This act, or so much thereof as respects the canal and works designed to be constructed in the District of Columbia, and the states of Virginia and Maryland, shall take effect, with such necessary modification in the construction thereof as shall fit it for such limited application or use, upon the assent of the congress of the United States and the legislature of Maryland being given thereto, and upon its receiving the further assent of the legislature of Pennsylvania, the whole and every section and part thereof, shall be valid and in full force and operation.

Conditions stipulated.

23. *Be it further enacted*, That the assent of the congress of the United States, required by the first section of this act, and the authority conferred by the fourteenth section, is understood and taken to relate only to their authority as the legislature of the District of Columbia.

Assent of congress restricted.

24. *Be it further enacted*, That all acts and parts of acts coming within the purview of this act, shall be, and the same are hereby repealed—*Therefore*,

Repeal.

1. *Be it enacted by the General Assembly of Maryland*, That the said act of the general assembly of Virginia, be, and the same is hereby accepted, assented to, and confirmed.

Confirmatory clause.

2. *And be it further enacted and declared*, That by confirming and accepting the act of Virginia, it is not intended by the legislature of Maryland to deny to the congress of the United States, the constitutional power to legislate on subjects of roads and canals.

Restriction referred to.

And for the purpose of removing all doubt as to the right of the state of Maryland to intersect the said Chesapeake and Ohio Canal, for the purpose of conducting a lateral canal or canals to Baltimore or elsewhere in the state of Maryland, from that part of the said Chesapeake and Ohio canal which shall be within the district of Columbia,

3. *Be it further enacted and declared*, That the said act of Virginia has been accepted and confirmed by the legislature of Maryland on the express condition, that the act of congress contemplated by the twenty first section of the Virginia act, shall direct and provide some safe and practicable mode whereby such lateral canal or canals may be secured to the state of Maryland; and whereby also it may be determined whether such lateral canal or canals will injure the said Chesapeake and Ohio Canal, within the

Right to lateral canal further provided for.