

basis of a durable tranquillity. The disposition of waters that empty themselves into the said bay, and of the southern tribes as had also heretofore annoyed our frontier, is another prospect in our situation so important to the interest and happiness of the United States, that it is much to be lamented that any clouds should be thrown over it, more especially by excesses on the part of our own citizens.

While our population is advancing with a celerity which exceeds the most sanguine calculations—while every part of the United States displays indications of rapid and various improvement—while we are in the enjoyment of protection and security, by mild and wholesome laws, administered by governments founded on the genung principles of rational liberty, a secure foundation will be laid for accelerating, maturing and establishing the prosperity of our country, if by treaty and amicable negotiation, all those causes of external discord which heretofore menaced our tranquillity, shall be extinguished on terms compatible with our national rights and honour, and with our constitution, and great commercial interests.

Among the various circumstances in our internal situation, none can be viewed with more satisfaction and exultation, than that the late scene of disorder and insurrection, has been completely restored to the enjoyment of order and repose. Such a triumph of reason and of law, is worthy of the free government under which it happened, and was justly to be hoped from the enlightened and patriotic spirit which pervades and actuates the people of the United States.

In contemplating that spectacle of national happiness which our country exhibits, and of which you, Sir, have been pleased to make an interesting summary, permit us to acknowledge and declare the very great share which your zealous and faithful services have contributed to it, and to express the affectionate attachment which we feel for your character.

The several interesting subjects which you recommend to our consideration will receive every degree of it, which is due to them: And whilst we feel the obligation of temperance and mutual indulgence in all our discussions, we trust and pray that the result to the happiness and welfare of our country may correspond with the pure affection we bear to it.

THE ANSWER.

GENTLEMEN,

COMING as you do from all parts of the United States, I receive great satisfaction from the concurrence of your testimony in the justness of the interesting summary of our national happiness, which, as the result of my inquiries, I have presented to your view. The sentiments we have mutually expressed of profound gratitude to the source of these numerous blessings—the Author of all Good—are pledges of our obligations to unite our sincere and zealous endeavours, as the instruments of Divine Providence, to preserve and perpetuate them.

Accept, Gentlemen, my thanks for your declaration, that to my agency you ascribe the enjoyment of a great share of these benefits. So far as my services contribute to the happiness of my country, the acknowledgment thereof by my fellow-citizens, and their affectionate attachment, will ever prove an abundant reward.

Go. WASHINGTON.

By the HOUSE of DELEGATES, December 14, 1795.

ORDERED, That the bill, entitled, An act to erect a company, as a body corporate, for the purpose of cutting and making a canal between the bay of Chesapeake and the river Delaware, be published in the Maryland Gazette, Easton, George-town, Frederick-town and two Baltimore-town newspapers, the Washington Spy, and Dunlap and Claypoole and Bache's Philadelphia news papers, for three weeks successively, with the yeas and nays on the question for referring said bill to the next session of assembly.

On motion, the question was put, That the further consideration of the bill to erect a company, as a body corporate, for the purpose of cutting and making a canal between the bay of Chesapeake and the river Delaware, be referred to the next session of assembly? The yeas and nays being required, appeared as follows:

AFFIRMATIVE.

Messieurs Hopewell, Neale, Pinkney, J. Worthington, Ridout, T. Worthington, Ridgely, Ridgely, of Wm. Merryman, Hollingsworth, Gilpin, R. Bond, W. Bowie, T. Bowie, Quyan, Key, Dennis, Whittington, Corbin, Baer, Brother, Beatty, Shriver, J. Bond, Jarrett, Montgomery, M'Comas, Winchester, M'Mechen, Ringgold, Barnes, Brooke, Burgess, Oneale, J. Johnson, Lynn, Cresap, Beall. 38.

NEGATIVE.

Messieurs W. Thomas, Spencer, Lloyd, Barroll, Hall, Mackall, Brome, Horrell, Chesley, Parnham, Digges, Roberts, Martin, Sherwood, Carroll, Nutter, Hyland, Steele, Robertson, Ward, O'Bryon, Brown, C. Frazier, Robins, Driver, Mitchell, Clarke, Reintzel. 28.

So it was resolved in the affirmative.

True extract from the minutes of the House of Delegates.

By order,

W. HARWOOD, Clk.

An ACT to erect a company, as a body corporate, for the purpose of cutting and making a canal between the bay of Chesapeake and the river Delaware.

WHEREAS the opening of the communication between the bay of Chesapeake and the river Delaware, by means of a canal, will be attended with very beneficial effects to those parts of the State of Maryland that lie on the bay of Chesapeake, and on the

many persons are willing to subscribe large sums of money to effect so useful a work, and it being just and proper that they, their heirs and assigns, should be empowered to receive reasonable tolls for ever as a compensation for the money advanced by them in carrying the work into execution, and the risk they incur,

II. *Be it enacted, by the general assembly of Maryland,* That it shall be lawful to open books for receiving and entering subscriptions to the amount of _____ dollars, in shares of _____ dollars each share, for the cutting said canal, and perfecting the navigation thereof, under the management of _____ at Elkton, _____ at Chester-town, _____ at Easton, _____ at Vienna, and under the management of such persons, and at such places, in Delaware and Pennsylvania, as shall be appointed by acts of the legislature of those states; that the said books shall be opened on the _____ day of _____ and shall continue open for this purpose until the _____ day of _____; and on the _____ day of _____ there shall be a general meeting of the subscribers at the town of _____, of which meeting notice shall be given by the said managers, or any four of them, in the Maryland, Delaware and Pennsylvania newspapers, at least one month before the said meeting; provided, that if the same time of receiving subscriptions, and of meeting, should not be appointed by all the said states, then there shall be a meeting of the subscribers at the time by them appointed, at the place aforesaid, notice whereof to be given as aforesaid, and the subscriptions made at the times and places appointed by Delaware and Pennsylvania shall then be received, and such meeting may and shall be continued from day to day till the business is finished; and the acting managers, at the time and place aforesaid, shall lay before such of the subscribers as shall meet according to the said notice, the books by them respectively kept, containing the state of the said subscriptions, and if one half of the capital sum aforesaid should, upon examination, appear not to have been subscribed, then the said managers, at the said meeting, are empowered to take and receive subscriptions to make up the deficiency; and a just and true list of all the subscribers, with the sums subscribed by each, shall be made out and returned by the said managers, or any four or more of them, under their hands, to the general court for the eastern shore of Maryland, and the supreme courts of Delaware and Pennsylvania, to be there kept and recorded; and in case more than _____ dollars shall be subscribed; then the same shall be reduced to that sum by the said managers, or a majority of them, by beginning at, and striking off a share from, the largest subscription or subscriptions, and continuing to strike off a share from all subscriptions under the largest and above one share, until the sum is reduced to the capital of _____ dollars, or until a share is taken from all subscriptions above one share, and lots shall be drawn between subscribers of equal sums, to determine the numbers in which such subscribers shall stand on a list to be made for striking off as aforesaid; and if the sum subscribed still exceeds the capital aforesaid, then to strike off by the same rule, until the sum subscribed is reduced to the capital aforesaid, or all the subscriptions are reduced to one share, and if there still be an excess, then lots to be drawn to determine the subscribers who are to be excluded to reduce the subscriptions to the capital aforesaid; which striking off shall be certified in the list aforesaid, and no person shall subscribe less than one whole share; provided, that unless _____ of said capital shall be subscribed as aforesaid, all subscriptions made in consequence of this act shall be void; and in case _____, and less than the whole of said capital shall be subscribed as aforesaid, then the president and directors, appointed as herein after mentioned, are hereby empowered and directed to take and receive the subscriptions which shall be first offered, in whole shares as aforesaid, until the deficiency shall be made up, a certificate of which additional subscriptions shall be made, under the hands of the president and directors for the time being, or of a majority of them, and returned to, and recorded in, the courts herein before mentioned.

III. *And be it enacted,* That in case one half of the said capital, or a greater sum, shall be subscribed as aforesaid, the said subscribers, and their heirs and assigns, from the time of their said first meeting, shall be, and are hereby declared to be, incorporated, by the name of The Chesapeake and Delaware Canal Company, and may have perpetual succession, and sue and be sued as such; and such of the said subscribers as shall be present at the said meeting, or a majority of them, are hereby empowered and required to elect a president and _____ directors for conducting the said undertaking, and managing the business of the said company for and during such time, not exceeding _____ years, as the said subscribers, or a majority of them, shall think proper; and every subscriber shall be allowed one vote for every share not exceeding _____ shares, and one vote for every _____ shares above ten, held by him or her in the said company, and any stockholder, by writing under his or her hand and seal, executed in the presence of two witnesses, may depute any other member or stockholder to vote and act as his or her proxy, at any general meeting.

IV. *And be it enacted,* That the said president and directors so elected, and their successors, or a majority of them assembled, shall have full power and authority to agree with any person or persons, on behalf of the said company, to cut such canals, and erect such locks, and perform such other works, as they shall judge necessary for opening, improving and extending the navigation between the bay of Chesapeake and the river Delaware, and carrying on the same from place to place, and from time to time, and upon such terms, and in such manner, as they shall think fit, and out of the money arising from the subscriptions and the tolls

and other aids herein after given, to pay for the same, and to repair and keep in order the said canals, locks and other works necessary thereto, and to defray all incidental charges, and also to appoint a treasurer, clerk, and such other officers, toll-gatherers, managers and servants, as they shall judge requisite, and to agree for and settle their respective wages or allowances, and settle, pass and sign, their accounts, and also to make and establish rules of proceeding, and to transact all the other business and concerns of the said company, in and during the intervals between the general meetings of the same, and they shall be allowed, as a satisfaction for their trouble therein, such sum of money as shall, by a general meeting of the subscribers, be determined; provided always, that the treasurer shall give bond, in such penalty, and with such security, as the said president and directors, or a majority of them, shall direct, for the true and faithful discharge of the trust reposed in him, and that the allowance to be made to him for his services shall not exceed _____ pounds in the hundred for the disbursements by him made; and that no officer in the said company shall have any vote in the settlement or passing his own account.

V. *And be it enacted,* That the said president and directors, and their successors, or a majority of them, shall have full power and authority, from time to time, as money shall be wanted, to make and sign orders for that purpose, and direct at what time, and in what proportion, the proprietors shall advance and pay the sums subscribed, which orders shall be advertised at least _____ months in the Maryland, Delaware and Pennsylvania newspapers; and they are hereby authorized and empowered to demand and receive of the several proprietors, from time to time, the sums of money so ordered to be advanced for carrying on and executing, or repairing and keeping in order the said works, until the sums subscribed shall be fully paid, and to order the said sums to be deposited in the hands of the treasurer, to be by him disbursed and paid out as the said president and directors, or a majority of them, shall order and direct; and if any of the said proprietors shall refuse or neglect to pay their said proportions within one month after the time of payment so ordered, and advertised as aforesaid, the said president and directors, or a majority of them, may sell at auction, and convey to the purchaser, the share or shares of such proprietor to refusing or neglecting payment, giving at least _____ months notice of the sale in the Maryland, Delaware and Pennsylvania newspapers, and after retaining the sum due, and charges of sale, out of the money produced thereby, they shall refund and pay the surplus, if any, to the former owner, and if such sale shall not produce the full sum ordered and directed to be advanced as aforesaid, with the incidental charges, the said president and directors, or a majority of them, may, in the name of the company, sue for and recover the balance, by action of debt or on the case, and the said purchaser or purchasers shall be subject to the same rules and regulations as if the said sale and conveyance had been made by the original proprietor; provided, that in case of the death of any stockholder, the neglect or refusal of his executor, administrator or legatee, to make the payment that may be required as aforesaid, shall not have the effect to forfeit immediately the said share or shares held by the said stockholder in his lifetime, but the said executor, administrator or legatee, shall have one whole year next after the day of the said death to make the payments required.

VI. *And,* to continue the succession of the said president and directors, and to keep up the same number, *Be it enacted,* That from time to time, upon the expiration of the said term for which the said president and directors were appointed, the proprietors of the said company, at the next general meeting, shall either continue the said president and directors, or any of them, or choose others in their stead; and in case of the death, removal, resignation or incapacity, of the president, or any of the said directors, may and shall, in manner aforesaid, elect any other person or persons to be president and directors, in the room of him or them so dying, removing or resigning, and may, at any of their general meetings, remove the president, or any of the directors, and appoint others for and during the remainder of the term for which such person or persons were at first to have acted.

VII. *And be it enacted,* That every president and director, before he acts as such, shall take an oath or affirmation for the due execution of his office.

VIII. *And be it enacted,* That the presence of proprietors having _____ shares at the least shall be necessary to constitute a general meeting, and that there be a general meeting of proprietors on the _____ Monday of _____ in every year, at such convenient town as shall be from time to time appointed by the said general meeting; but if a sufficient number should not attend on that day, the proprietors who do attend may adjourn such meeting, from time to time, till a general meeting of proprietors shall be had, which may be continued from day to day until the business of the company is finished, to which meeting the president and directors shall make reports, and render distinct and just accounts of all their proceedings, and on finding them fairly and justly stated, the proprietors then present, or a majority of them, shall give a certificate thereof, a duplicate of which shall be entered on the said company's books; and at such yearly general meetings, after leaving in the hands of the treasurer such sum as the proprietors, or a majority of them, shall judge necessary for repairs and contingent charges, an equal dividend of all the net profits arising from the tolls hereby granted shall be ordered and made to and among all the proprietors of the said company, in proportion to their several shares; and upon any emergency, in the interval between the said yearly meetings, the said president, or a majority of the said directors, may appoint a general meeting of the pro-

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