

been conveyed by the owner to the said corporation, and their successors, by fine, feoffment, deed of bargain and sale, or any other mode of conveyance. C H A P. XXIII.

VII. PROVIDED ALWAYS, AND BE IT ENACTED AND DECLARED, That not more than two hundred acres of land, in the whole, shall be condemned for the purposes aforesaid. Proviso.

VIII. AND, whereas the said corporation incur a very great expence, and run a great risk of sinking their subscription money in case the said scheme should fail, BE IT THEREFORE ENACTED; That the said corporation, after they have completed the said canal, shall have an exclusive right thereto, with full power of erecting grist mills, and other waterworks thereon, and no other canal shall be cut, or the water drawn off between the line of Pennsylvania and tide water, to the injury of the navigation of the said canal, or the waterworks aforesaid erected thereon, and that the said corporation shall have full power and authority to use the waters of the said river for the purpose of supplying the said canal, and the waterworks aforesaid erected thereon, with water. Corporation to have an exclusive right, &c.

IX. AND BE IT ENACTED, That the said corporation shall have a power over the waters of the said river, for the purposes of supplying their said canal, and the waterworks aforesaid erected thereon, with water, and to exclude others from cutting any other canal or canals, to the injury of the said canal, but shall have no right to the waters of the said river for any other purpose or purposes whatsoever; provided always, that the said corporation, whenever any public road crosses the same, shall and are hereby required, either to erect a sufficient bridge across the said canal, or to keep a proper boat or boats for the purpose of conveying passengers across the same, under the penalty of five pounds current money for every neglect or refusal; and that the said corporation shall have power and authority to make such by-laws, rules and ordinances, as may appear to them most conducive to the end proposed by this act, and most proper for regulating the navigation of the said canal; and the said corporation shall have full and ample powers and authority to impose and set such tolls and duties on all boats, other vessels and rafts, which may pass up or down the said canal, not exceeding the sum of one shilling current money per tun, carpenters measure, and shall and may make such by-laws and ordinances to compel the payment of the said tolls and duties, so set and imposed, as the said corporation may think right and most effectual, and the said tolls and duties shall become a perpetual revenue for the sole and exclusive benefit of the said corporation, and their successors, for ever. Their power, &c.

The part of this section printed in italic is repealed by 1784, ch. 66, section 4, and by section 2, of that act, other tolls are given.

X. AND, whereas the said proprietors of the Susquehanna canal have engaged to raise and pay to the treasurer of the said corporation the sums of money by them respectively subscribed, at the times and in the proportions following, to wit: One fifth part on the first day of April, one thousand seven hundred and eighty-four, one fifth on the first day of July, one fifth on the first day of October, one fifth on the first day of January, and the remaining fifth on the first day of April, one thousand seven hundred and eighty-five; and it being absolutely necessary the said engagements should be punctually complied with, and that some summary mode of proceeding should be adopted to enforce payment in case of default, BE IT ENACTED, That it shall and may be lawful for the said corporation, in case any of the said proprietors shall neglect to make the payments on the days stipulated and herein before mentioned, to write to the clerk of the court of that county in which the said defaulter shall reside, and order the said clerk to issue an attachment, fieri facias, or rapias ad satisfaciendum, against the said person making default, for the sum of money by him due and unpaid; and the execution so issued shall be made returnable to the court which shall first sit after the issuing thereof, and shall be as valid and effectual in law, to all intents and purposes, as if the same had issued on a judgment regularly obtained, according to the common and ordinary course of proceeding in a court of law. May sue for subscription money, &c.

XI. BE IT ENACTED, That the secretary, immediately after his appointment, or as soon thereafter as conveniently may be, shall give bond, in the penalty of five hundred pounds current money aforesaid, with sufficient security, for the faithful execution of the trust reposed in him; and shall attend the meetings of the said corporation; and of the governor and directors, and take the following oath before some justice of the peace, that he will well and faithfully execute the office of secretary to the corporation of the proprietors of the Susquehanna canal, and to the governor and directors thereof, and keep a fair record of all their proceedings, which he shall lay before the corporation at each meeting, with an account of all expenditures; and that the treasurer shall give bond, in the penalty of four thousand pounds current money, to discharge the trust committed to him by the said corporation. Secretary to give bond, &c.