

C H A P.
XXXIII.

Which tolls are rated in sterling money, and may be discharged in foreign gold or silver coin of the present fineness, at the following rates, to wit:

Spanish milled piece of eight, or dollar,	£. 0 4 6
Other coined Spanish silver of equal fineness, per ounce,	0 5 12
English milled crowns,	0 5 0
French silver crowns,	0 5 0
Johannes, weighing eighteen pennyweight,	3 12 0
Half Johannes, weighing nine pennyweight,	1 16 0
Moidores, weighing six pennyweight eighteen grains,	1 7 0
English guineas, weighing five pennyweight six grains,	1 1 0
French ditto, weighing five ditto five grains,	1 0 10
Doublons, weighing seventeen pennyweight,	3 6 0
Spanish pistoles, weighing four pennyweight six grains,	0 16 6
French milled pistoles, weighing four pennyweight and four grains,	0 16 4
Arabian chequins, weighing two pennyweight three grains,	0 8 6
Other gold coin (German excepted,) by the pennyweight,	0 4 0

But if any of the coin aforesaid should hereafter be rendered less valuable than they are at present, either by lessening their weight, or therewith adding a greater quantity of alloy than is in them respectively at present, then so much of any of the said coins, the value of which is so reduced, to be received for the tolls aforesaid, as is equal in value to the said coins in their present state of fineness and weight, shall be payable for the said tolls at their reduced value only; and in case of refusal or neglect to pay the toll at the time of offering to pass through any of the said places, and previous to the vessels passing through the same, the collectors of the said tolls may lawfully refuse passage to such vessel; and if any vessel shall pass without paying the said toll, then the said collectors may seize such vessel, wherever found, and sell the same at auction for ready money, which, so far as is necessary, shall be applied towards paying the said toll and all expences of seizure and sale, and the balance (if any,) shall be paid to the owner, and the person having the direction of such vessel shall be liable for such toll, if the same is not paid by sale of such vessel as aforesaid; provided, that the said proprietors, or a majority of them, holding at least three hundred shares, shall have full power and authority, at any general meeting, to lessen the said tolls, or any of them, or to determine that any article may pass free of toll.

By 1794, ch. 29, the several tolls made payable by this act shall, instead thereof, be payable at Hook's falls; and the tolls made payable at the Great falls, shall be payable at the Great falls and at Watts's branch, in such proportion as shall be directed by the company; and the tolls made payable at the mouth of the South branch, shall be payable at some convenient place between the mouths of Great Cacapeton and Conococheague, to be appointed by the company.

By 1797, ch. 93, the company may receive, at or near the mouth of Conococheague, the tolls payable at that place, also the tolls payable at Watts's branch and the Great falls, in the same manner as if the locks at the Great falls were complete, and also to receive the tolls on such articles as are brought up the river to the Great falls, on the conditions therein mentioned; and they may receive, on all articles transported through the locks finished at the Little falls, the same rates and tolls payable at Hook's falls, and at or near the mouth of Conococheague, if they have not before paid any tolls at any other place in the river above the said Little falls.

By 1790, ch. 35, the tolls, as they arise, and any part of the capital stock, may be applied in opening, &c. the branches of the river above Seneca.

River to be esteemed public, &c.

X. AND BE IT ENACTED, That the said river, and the works to be erected thereon in virtue of this act, when completed, shall for ever thereafter be esteemed and taken to be navigable as a public highway, free for the transportation of all goods, commodities or produce, whatsoever, on payment of the tolls imposed by this act; and no other toll or tax whatever, for the use of the water of the said river, and the works thereon erected, shall at any time hereafter be imposed by both or either of the said states, subject nevertheless to such regulations as the legislatures of the said states may concur in, to prevent the importation of prohibited goods, or to prevent fraud in evading the payment of duties imposed in both or either of the said states on goods imported into either of them.

Directors may purchase land, &c.

XI. AND, whereas it is necessary for the making the said canal, locks and other works; that a provision should be made for condemning a quantity of land for the purpose; BE IT ENACTED, That it shall and may be lawful for the said president and directors, or a majority of them, to agree with the owners of any land through which the said canal is intended to pass, for the purchase thereof, and in case of disagreement, or in case the owner thereof shall be a *feme-covert*, under age, *non compos*, or out of the state, on application to any two justices of the county in which such land shall lie, the said justices shall issue their warrant, under their hands, to the sheriff of their county, to summon a jury of twenty-four inhabitants of his county, of property and reputation, not related to the parties, nor in any manner interested, to meet on the land to be valued, at a day to be expressed in the warrant,

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