

at near Payne's Falls; allowing one third, or such other proportion as the said assemblies might think reasonable, of the tolls payable at the Great Falls on the navigation being completed at and through the falls, and thence to tide water, to be henceforth demandable and received at the Great Falls, and also at or near the mouth of Watts's Branch, on goods, commodities or produce, landed at the Great Falls, or at or near the mouth of Watts's Branch, respectively; and empowering the president and directors to apply any part of the capital of the said company, and also the tolls as they may arise, in opening, improving and extending, the navigation on the branches of the said river above Seneca; which being thought reasonable,

C H A P. XXXV.

II. BE IT ENACTED, by the General Assembly of Maryland, That the said Patowmack company have and be allowed until the first day of January, one thousand seven hundred and ninety-five, for making and improving the navigation between the Great Falls and Fort Cumberland, and on the same being done in the manner prescribed by the original act, shall be entitled to all tolls, profits and advantages, as if the same was done within the three years allowed by the same act.

Further time allowed, &c.

III. AND BE IT ENACTED, That no share in the said company, not already subscribed for, shall be taken up or filled, but on first paying the full amount of all previous calls, with interest from the time the calls ought to have been complied with; and that delinquent subscribers and holders of shares shall pay interest from the time the money ought to have been paid by them respectively on any calls made or to be made, together with the actual expence incurred by the company on serving notice on which to ground a motion for judgment against any such delinquent; and that the interest shall be recovered with, and in the same manner as, the principal, and the expence of notice shall be taxed with the other costs.

No share to be taken up, &c.

IV. AND BE IT ENACTED, That foreigners shall be and are hereby enabled to subscribe for, purchase, and hold shares in the said company.

Foreigners may hold, &c.

V. AND BE IT ENACTED, That the tolls which were granted to be demanded and received at or near Payne's Falls, may be demanded, collected and received, at or near Hook's Falls, in the same manner as they might have been collected and received at or near Payne's Falls aforesaid, and in the stead thereof; and that one third part of such tolls as would be payable at the Great Falls on the navigation being completed at and through those falls, and thence to tide water, may henceforth, until the whole shall become payable, be demanded, collected and received, at the Great Falls, and also at some convenient place at or near the mouth of Watts's Branch, on all goods, commodities and produce, landed at the Great Falls or at or near the mouth of Watts's Branch respectively, and the same mode may be pursued for compelling payment thereof, as may be lawfully used to compel payment of other tolls to the said company.

Place changed, &c.

VI. AND BE IT ENACTED, That the president and directors of the said company for the time being may, from time to time, apply any part of the capital stock of the said company, and also the tolls as they may arise, in opening, improving and extending, the navigation of the branches of the said river above Seneca; provided, that no such application shall be made until the main river, from tide water, is cleared to Fort Cumberland.

President, &c. may apply stock, &c.

This proviso was repealed by April, 1792, ch. 9.

VII. This act to take place and be in force on a similar act thereto being passed by the general assembly of Virginia, and not otherwise.

When to take place.

C H A P. XXXVI.

An ACT to allow the proprietors of the Susquehanna canal a further time to complete the same, and to extend the number of shares to thirty shares. Lib. JG. No. 1. fol. 305.

Passed 21st of Dec. 1790.

WHEREAS by an act of assembly, made and passed at November session, seventeen hundred and eighty-three, \* entitled, An act for making the river Susquehanna navigable from the line of this state to tide water, it was, among other things, enacted, that the persons incorporated by the said act should begin the canal on or before the first day of October then next following, and fully complete the same, according to the directions of the said act, within seven years, and on failure or neglect to perform the same within the term aforesaid, the said act should be null and void, and of no effect: And whereas the said canal hath been begun, and progress made therein, and the

Preamble. \* Chapter 23.

same