

For the best portion of slope or vertical walling, on a residency of the canal, not less in quantity than five hundred perches, a silver medal, with suitable devices, of the value of twenty dollars.

For the neatest and best executed section on the first division of the canal, complete in all its details, of excavation, embankment, and walling, a silver medal, with suitable devices, of the value of thirty dollars.

For the first section completed, included in any given letting, a silver medal, with suitable devices, of the value of twenty dollars.

For the greatest sum of common excavation, done on any section in a month, computed from a given day, a silver medal, with suitable devices, of the value of ten dollars.

For the silver medals, any other piece of plate, with suitable devices, of equal value, will be substituted, at the choice of the contractor entitled to receive the same.

Extract from Journal of Proceedings.

Test:

JOHN P INGLE.

Clk. Ches. & Ohio Canal Co.

CIRCUIT COURT OF THE UNITED STATES FOR
WASHINGTON COUNTY.

Chesapeake and Ohio Canal Company vs. F. S. Key.

Judge Cranch delivered the opinion of the Court as follows:

This cause comes before the Court upon a motion by the Company for affirmation of the inquisition which condemns Mr. Key's land in Georgetown, for the purposes of the canal, under the 15th section of the charter granted by Virginia, and confirmed by Maryland and by the United States. By that section it is enacted, that the inquisition taken and returned in the manner therein set forth, shall be affirmed, unless good cause shall be shown against it.

Mr. Key, in showing cause, has taken the following objections to the inquisition, and to the proceedings upon which it is founded:

1st. That the provision of the charter for condemning land is unconstitutional, because no provision is made for just compensation.