

bia, 'on tide water.' This description, also, would be justified by a canal beginning in any part of the District, upon tide water. The precise point of beginning of the Eastern section is, therefore, not fixed by the charter, but is left to the discretion of the Company, with this limitation only, that it should be in the District of Columbia, and upon tide water. There is no expression in the act inconsistent with such a construction. On the contrary, there are several provisions which strongly corroborate it.

The first enacting clause of the charter by Virginia, of the 27th of January, 1824, requires the assent of the Congress of the United States to the provisions of that act—and by the 23d section it is declared that such assent if understood and taken to relate only to their authority as the Legislature of the District of Columbia. But if the words 'from' and 'at' are to have this exclusive signification, no part of the canal could be within the District, and the assent of Congress, as the local Legislature of the District, would be wholly unnecessary. So, in that case, the assent of Congress which is required by the 14th section, to an alteration of the rates of toll, would be entirely useless. So, in the 21st section, a right is given to the United States to retain the power to extend the canal in (not into) the District of Columbia, on either or both sides the river Potomac; and the same section provides that "the United States shall authorise the states of Virginia and Maryland, or either of them, to take and continue a canal from any point of the above-named canal, or the termination thereof, through the territory of the District of Columbia. And by the 22d section it is enacted, that "this act, or so much thereof as respects the canal and works designed to be constructed in the District of Columbia, and states of Virginia and Maryland, shall take effect, with such necessary modification in the construction thereof, as shall fit it for such limited application or use, upon the assent of the Congress of the United States, and the Legislature of Maryland, being given thereto; and upon its receiving the further assent of the Legislature of Pennsylvania, the whole and every section, and part thereof, shall be valid, and in full force and operation."

So also the confirming act of Maryland of the 31st of January, 1825, says, "And for the purpose of removing all doubts as to the right of the state of Maryland to intersect the said Chesapeake and Ohio Canal for the pur-