

R E P O R T .

The committee, to which was referred the enquiry, "whether the Pennsylvania, Delaware and Maryland Steam Navigation Company, and the Chesapeake and Delaware Canal Company, have not forfeited their charters," beg leave to

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The allegations, under which the order of the House and the creation of your committee arose, related to illegal and excessive tolls exacted by the Chesapeake and Delaware Canal upon passengers passing through their canal, and also to alledged combinations with other companies, by which a dangerous monopoly had been created alike prejudicial to the rights and interests of the public. It was supposed that these allegations if proved, would work a forfeiture of the charters of the said Companies, and your committee, therefore, addressed its deliberations exclusively to the consideration of these charges. To the original charter of the Canal Company and the several supplements thereto, your committee first looked for the powers and franchises of this corporation, because like all other corporations, which are the mere creatures of the Legislature, it has and can have none other than those that have been clearly and in express terms granted to it, and your committee, therefore, proceeded to ascertain what powers were expressly granted to this company by the original charter and the various supplements, in order that it might determine whether those powers had been transcended. In relation to tolls the charter and supplements simply authorise this company to charge tonnage on merchandize passing through the canal at a fixed rate, and gives no right whatever to charge any other tolls except upon vessels or boats not having commodities on board; and in this respect it is placed on precisely the same footing with the other canals of the State, in all of which the tolls are confined to merchandize and merchandize alone. There is no instance, as your committee believe, where canal companies in this State have been empowered to charge toll *per capita*