

proceedings of the said commissioners and also the books of the said corporation wherein shall be recorded any valuation, appraisement, or other proceeding relative to the said canal, as authorised by this act, or a copy the same, or of any part thereof, certified under the hand and seal of office of the officer having the custody and legal charge thereof, shall be admitted in all cases as *prima facie*, evidence of the true location of the said canal, and every thing described and represented thereon, or entered in the same.

7. *And be it enacted*, That in order to raise a sum of money sufficient for the making, excavating, and constructing of the Baltimore canal, the corporation of the city of Baltimore shall have full power and authority, from time to time, to borrow any sum of money on the credit of the city of Baltimore, at a rate of interest not exceeding six per centum per annum, so that the same doth not altogether exceed one million five hundred thousand dollars, and so that no more than one third of the said amount shall be borrowed in any one year; for which money so borrowed, transferable certificates of stock, payable on a day not less than twenty, nor more than twenty five years from the date thereof, shall be issued in such manner as the said corporation shall direct and appoint, and the stipulated interest on the sums so borrowed shall be punctually paid half yearly, in the city of Baltimore, to the holder or holders of the said certificates, his, her, or their lawful attorney, and the shares of the said stock shall be transferable only on the books to be provided and kept by the said corporation for that purpose, according to such rules as shall be established by them. And the city of Baltimore having thus undertaken and assumed upon itself, alone and exclusively, the risk and burthen of making the Baltimore canal, in consideration whereof; Therefore.

8. *Be it enacted*, That the Baltimore canal, together with all its appurtenance, rights, tolls, profits and emoluments, accruing therefrom, in any manner whatever, shall belong to, and be the property of the city of Baltimore in fee simple, to have and to hold to its own exclusive use and benefit and none other; and the said corporation shall have full power and authority to establish reasonable tolls for passing on the said canal, and to adopt all measures necessary for the collection and payment thereof; and to make and pass all such penal ordinances for the protection and safety of the said canal, and for regulating the navigation thereof, not inconsistent with the constitution or laws of this state, or the rights of the citizens thereof; *Provided*, that all penalties not exceeding fifty dollars, that may be so imposed, shall be recoverable in like manner as small debts are now recoverable, and all fines, forfeitures and penalties above fifty dollars, and all other penal regulations affecting the person of the offender, shall and may be recovered and prosecuted in like manner as such fines and forfeitures and penal regulations are recovered or prosecuted for the violation of any act of Assembly of this state; and also to appoint superintendants, lock keepers, toll gatherers, and all other useful or necessary agents in and about the said canal; and all laws or acts of Assembly of this state now in force, by virtue of which the corporation of the city of Baltimore is authorised and empowered to impose, levy and collect, any license, fees, taxes, duties or revenue, of whatever nature or kind the same may be, for the uses and purposes of the city, shall continue and remain in violate and unrepealed, until the whole sum of money, which is au-

Dec. Ses. 1823.

Authority to borrow money and issue certificates.

Property vested, tolls, penal ordinances, appoint agents.

Proviso.

Present revenue pledged.