

pond or other improvement connected therewith, to any individual or individuals, or private company or companies, for that purpose incorporated, by the state of Pennsylvania, for mills or any other water works, or for irrigating any lands, or for supplying bleach grounds, tan pits or brick yards, and the profits or rents resulting therefrom, to take and receive to and for the use and benefit of the said corporation, in addition to the tolls and profits allowed to be taken by the act of Virginia; provided, that the navigation of the said canal be not thereby impeded or obstructed; and provided further, that the said Chesapeake and Ohio Canal Company, shall not at any time, be directly or indirectly engaged or concerned in any banking, merchandising, milling, or the erection of mills, manufacturing or mining, or in any other business whatever, except such as may be necessary and proper for the construction of such canal and appertenances, and the performance of the several functions of a canal company.

Sect. 8. And be it further enacted by the authority aforesaid, That as a further condition on which the assent of this state is given to the Virginia act aforesaid, that so far as regards the territory of Pennsylvania, whenever the said canal shall cross any public or private laid out road or highway, or shall divide the grounds of any person or persons, so as to require a ford or bridge to cross the same, the jury who shall enquire of the damages to be sustained in the manner directed by the fifteenth section of the Virginia act, shall find and ascertain whether a passage across the same shall be admitted or maintained by a ford or bridge, and on such finding, the said Chesapeake and Ohio Canal Company, shall cause a ford to be rendered practicable, or a bridge fit for the passage of carts and wagons to be built and forever thereafter maintained and kept in repair, at all and every places so ascertained by the said jury, at the costs and charges of the said company, but nothing herein contained, shall prevent any person from erecting and keeping in repair, any foot or other bridge across the said canal at his own expence, when the same shall pass through his ground; provided the same shall be of such height above the water, as shall be usual in the bridges erected by the company; and provided also, that such foot or other bridges so to be erected by the owner of such land, shall not interfere with any of the locks, buildings or other works of the company, or with the navigation of the said canal.

Sec. 9. And be it further enacted by the authority aforesaid, That the assent of the legislature of this commonwealth to the said act of the legislature of Virginia, is given and granted upon the further express conditions, that any mesne process which may be issued against the said company, may be served on any toll gatherer, director or other officer of the company,