

forts which have been made, to afford *harbours, instead of increased facilities* for the trade and commerce of that river, to pass along the canal—an object entirely different from that for which they were incorporated. Your committee believe it will not be denied, that additional powers should never be granted to coporate bodies, for other purposes, than those for which they were originally incorporated, unless under peculiar circumstances, such additional powers be essential to the interests of the community; and it can be clearly shown that those interests, too, can only be promoted, by such an increase of powers.

That no such evidence has been furnished your committee, but the contrary appears:

By the act of '83 it will be seen, that the company were authorized to condemn 200 acres of land for the purposes of this canal—the canal of forty feet wide on an average, and the tow-paths sixty feet wide, as mentioned in Wilson's deed, already appropriated to the purposes contemplated in the charter, occupy but a little more than 109 acres. The company then have upwards of 90 acres of land left, which they now hold. If new ponds and reservoirs are, therefore, wanting for the public convenience, they have this quantity of land to appropriate, and therefore they need no augmentation of their powers till this land be so applied. If it be contended that the land so held is not suited for this purpose, and as it is not necessary for the canal and tow-paths, which are already made, and for erecting mills and other water works thereon, they had no right to condemn it at all: and there is no evidence before this committee that this land cannot be so applied; but on the contrary, there is evidence furnished by the company that a portion of it is suited to that purpose. Independent of all these considerations, it appears to your committee, that the rights vested in Bosley under the covenant of the company with Wilson, are now undergong a legal investigation in a court of justice: a material point in which appears, from the evidence adduced, to be whether the company have a right to cut up the tow-paths of the canal, (a necessary result of the grant now prayed, for the purchase of land to make basins or reservoirs. How far, therefore any act this Legislature might pass, directly