

but the same tolls, at the same time, are to be paid upon all vessels goods and persons.

The company must semi-annually, on the first days of January and July, make up an account of their receipts and expenses; and dividends are to be declared from time to time. Fractions of a mile in distance on the canal are to be considered one whole mile; and fractions of a quarter of a ton in weight are to be considered a whole quarter of a ton; and tables of the rates of tolls are to be printed and publicly posted.

The company must within six months, if required by the owners of property adjacent to the canal, put up proper fences, and maintain the same. The canal, when completed, is to be measured and milestones erected thereon. The managers and the collectors are required to give sufficient security to the company for the faithful discharge of their duties.

All fines and forfeitures imposed by the act, or by-laws, may be recovered before a justice of the peace, and levied by distress and sale of the goods and chattels of defendant; and in default of goods and chattels, the defendant is liable to imprisonment. An appeal from the decision of the justice of the peace may, within four months, be taken to the general sessions. Actions or suits under this act must be brought within six months. Any contravention of this act not otherwise provided for is to be deemed a misdemeanor.

Her majesty may, within fifteen years from the complete construction of said canal, assume the same, on giving two years' notice to the company, and on paying the whole current amount of its capital stock, and fifteen per cent in addition thereto. The company is required to make and deposit the map and plan of the canal, as approved of by the governor and council, within eighteen months; and the whole stock must be subscribed for, and ten per cent paid thereon, within three years, and the canal completed in five years, from the passage of the act, or else the charter will be void.

The company is to submit to the legislature, annually, detailed accounts of the moneys received and expended. It is not permitted to proceed to break ground until two hundred thousand pounds shall have been subscribed to its capital stock, and ten per cent thereon paid in; nor until the election of a board of directors. And it is not to be exempt from the provisions of any general act on the subject of canals, &c. which may be passed by parliament. Nor is any act of parliament relative to the transportation of her majesty's troops and munitions of war thereon, or in relation to the mail or telegraphs, to be deemed an infringement of the act of incorporation; which is declared to be a public act.

After the attention of the committee had been fully called to the provisions of the charter, a question arose as to those parts of it which give to the governor and council a supervisory power over the location of the canal and of its locks, bridges, &c. Though it was contended by several of the committee, that this power was not designed to be, and never would be, used to the detriment of the company, it was nevertheless deemed important by many of them, that the views of the governor and council should, as far as practicable, be known on this subject before any definite action was had for the organization of a company. A committee was accordingly appointed to wait on his Excellency; who, in the discharge of that duty, have recently obtained from the Executive department the following communication: