

Adjoining proprietors may use Canal without interruption or payment of tolls.

XII. It shall be lawful for the owners and occupiers of any land adjoining to the said Canal to use any boats upon the said Canal, for pleasure or husbandry, and for conveying cattle from one farm or part of a farm or lands to any other farm or lands of the same owner or occupier (not passing through any lock without the consent of the said Company, or their successors, or their principal agents for the time being) without interruption from the said Company, or their successors, and without paying any rate or duty for the same, so as the same be not made use of for the carriage of any goods, wares, or merchandize to market, or for sale, or for any person or persons for hire, and so as the same shall not obstruct or prejudice the navigation of the said intended Canal, or the towing paths thereof.

In case of injury to canal works, Company may enter upon and use property adjoining damage.

XIII. And whereas it may hereafter happen from floods, or from some unexpected accident, that weirs, flood-gates, dams, banks, reservoirs, trenches, or other works of the said Canal, may be damaged or destroyed, and the adjacent lands, or the property thereon, thereby damaged, and it may be necessary that the same shall be immediately repaired or re-built to prevent further damages; Be it therefore enacted, That when and so often as it shall happen, it shall be lawful for the said Company, and for their or any of their servants, agents or workmen, from time to time, without any delay or interruption from any person or persons whomsoever, to enter into any lands, grounds, or hereditaments adjoining, or near to the said intended Canal, or the branches, reservoirs or trenches thereof, or any of them (not being an orchard, garden or yard,) and to dig for, work, get and carry away and use, all such stones, gravel and other materials, as may be necessary or proper and required for the purposes aforesaid, without any previous treaty whatsoever with the respective owners or occupiers thereof, or of any other person or persons interested in such lands, grounds or hereditaments, or any of them, doing as little damage thereto as the nature of the case will admit, and making recompense for such damages to the owners and occupiers of, or other persons interested in, such lands, grounds, property or hereditaments, within the space of six calendar months next after the same shall have been demanded, for all damages which shall or may be done by means of such accident or the digging for, getting, working, taking, carrying away and using such stones, gravel and material, or any of them as aforesaid, which damages, and the satisfaction and recompense in respect thereof, shall in case of dispute be settled, adjusted, ascertained and determined by arbitration, as hereinbefore is mentioned.

Company to make convenient places for turning vessels and rafts.

XIV. The said Company shall and may, in such parts of the said Canal as shall not be of sufficient breadth for admitting a boat, vessel or raft to turn about or lie, or for two boats or other vessels or rafts to pass each other, to cut and open proper spaces or places in the lands adjacent to or adjoining to the said Canal, at convenient distances from each other, for the turning, lying and passing of any such boat, vessel or raft, and that all boats, vessels or rafts which shall be hauled or navigated upon the said Canal, shall, upon meeting any other boat or vessel, stop at, or go back to, and lie in the said places or spaces, in such manner as by any By-law of the said Company shall be directed, in respect thereof.

Directors to establish rate of toll.

XV. It shall and may be lawful for the President and Directors of the said Company to regulate from time to time, and establish the rate of toll payable in respect of all timber, boats, vessels, and other craft, and of other cargoes and freightage thereof, and of all rafts navigating upon the said Canal; and the said Company shall annually, if required, exhibit an account to either branch of the Legislature, of the tolls collected upon

Company to exhibit annual account to the Legislature.