

they shall be so reduced as not to exceed fifteen *per cent.* and shall at that period be so regulated from time to time as not to exceed fifteen *per cent per annum*; and if at any time after the expiration of two years from the completion of the said work, the net profits aforesaid shall not amount to nine *per cent.* upon the money expended, it shall be lawful to raise the said tolls so as to divide nine *per cent.*

12. *And be it enacted,* That in order to ascertain the size of rafts, and the tonnage of boats, using and passing the said canal and lock navigation, and to prevent disputes between the supercargoes and collectors of tolls concerning the same, upon the request of the owner or supercargo of such boat or raft, or of the collector of the said tolls at any lock upon the said canal navigation, it shall and may be lawful for each of them to choose one skillful person to measure and ascertain the size of said rafts, and tonnage the said boat is capable of carrying, and to mark the said tonnage so ascertained, in figures, upon the head and stern of the said boat, in colours mixed with oil, and that the said boat or vessel so measured and marked, shall be permitted to pass through the said canal and locks for the price per ton to which the number of tons so marked on her shall amount to, agreeably to the rates fixed in the manner aforesaid; and if the owner or supercargo of any raft or boat shall decline choosing a person resident within two miles of the place where the said toll is payable, to ascertain the tonnage thereof, then the amount of such tonnage shall be fixed and ascertained by the person appointed for that purpose by the president and managers, or chosen by the said collector of tolls for the said company, and the tolls shall be paid according to such measurement before any such boat or *craft* shall be permitted to pass the place where such toll is made payable by the president and managers.

Size of rafts and tonnage of boats, how to be ascertained

13. *And be it enacted,* That it shall be the duty of the master or commander of any boat or vessel navigating the said creek, when they shall arrive within one-fourth of a mile from any lock so erected, under the penalty of two dollars, to blow a trumpet or horn, whereupon the keeper of such lock shall attend for the purpose of opening the gate or sluice to let the said boat or other vessel pass without unnecessary delay and in safety; and if any boat or other vessel shall be prevented from passing up or down any of said locks or sluices, by reason of the lock not being raised, for more than thirty minutes, the president, managers, and company, shall, on conviction thereof before any justice of the peace of the proper county, forfeit and pay to the person so hindered the sum of two dollars for every twenty minutes beyond the said time that he shall be so prevented, and in the same proportion for any longer or shorter time.

Master of vessel when within a quarter of a mile of any lock to blow a trumpet, &c.

14. *And be it enacted,* That if the president, managers and company, shall neglect or refuse to keep in good order or repair any dam, lock or sluice, of their own construction, or shall neglect to remove any obstacle which may occur, so that boats, rafts or other vessels, may at all times safely navigate the said creek, the president, managers and company, shall for each and every such offence pay the sum of twenty dollars, to be recovered in the same manner as debts of equal amount are by law made recoverable, before a justice of the peace of the proper county where the offence shall be commit-

Penalty for not keeping in repair any dam, lock or sluice