

it, on such terms as to exclude the necessity of any pass-way over the canal.

Regarding the preceding as a single purpose, involving several means for its perfect attainment, without private injury, the undersigned beg leave to add, that since the charter of the company was completed they have conceived it expedient, and such has been the unanimous sentiment of the Stockholders, to release the restraints imposed on the sale or letting of water power along the margin of the canal.

Having in several places to resort to the main river for water, they therefore ask of your honorable body, permission to sell or let for prescribed manufacturing uses, any surplus water, which they may conduct by feeders into the canal for that purpose, as well as that which unavoidably gains admission, and the present charter allows them to let. It will be seen that Pennsylvania has with judicious foresight conceded what is now asked by your honorable body, and which if granted, will be used in the spirit of its concession without injury to the navigation of the canal.

For similar reasons, to promote the public benefit, cheapen the cost, and enhance the profit of their work, they ask like permission to sell or let, on the heavy embankments which they may find it necessary to form, for the moles or piers adjacent to their basins, upon or at the termination of their canal, sites for houses of any description.

[Signed]

C. T. Mercer, Pres C. & O. C. Co.

Walter Smith,

Andrew Stewart,

Peter Lenox,

Frederick May,

} Directors