CHAP. CCLX. — *An Act to provide for an American Line of Mail and Emigrant Passenger Steamships between New York and one or more European Ports.* July 27, 1868.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General is empowered and hereby authorized to contract with the Commercial Navigation Company of the State of New York, a corporation existing under the laws of the State of New York, under a special charter passed by the legislature of said State under the date of April twenty-three, eighteen hundred and sixty-six, for the weekly or semi-weekly conveyance of all European and foreign mails of the United States between New York and Bremen, touching at Southampton, England, or Liverpool, touching at Queenstown, in first-class sea-going steamships, to be constructed in the United States and owned by said company, for a term not exceeding fifteen years, in the manner and on the conditions hereinafter stated.

Postmaster-General may contract with Commercial Navigation Company for weekly, &c. conveyance of mails of the United States between New York and Bremen, touching at Southampton, &c.

Class of vessels, where to be built, and term of contract.

SEC. 2. *And be it further enacted*, That the said navigation company shall, with a purpose of performing the above service, build, contract, and fit out, within one year from the passage of this act, at least seven first-class sea-going steamships, five of which shall not be of less than three thousand tons each, government measurement, and two others of not less than two thousand tons each, all of which vessels shall be constructed in the best manner, under the supervision and inspection of the American Lloyds, or, if ordered by the Postmaster-General, under the inspection of the most competent engineer, to be detailed for this purpose by the Secretary of the Navy, upon a written application of the Postmaster-General, so that when completed each vessel shall be of the first class in every respect, and with all known modern improvements in model, machinery, and outfit, so as to secure the greatest possible speed and safety; which steamships, when so constructed, shall be organized into and compose the United States mail steamship line, for the proper conveyance of mails and passengers, as hereinafter provided; the time of sailing, and all other details, to be arranged and agreed upon between the said company and the Postmaster-General, with power to modify such agreements, from time to time, as may best promote the object in view: *Provided*, That no letters or mail matter shall be detained for the purpose of being sent by this line: *And provided further*, That the average rate of speed of the steamships of the said navigation company shall not be less than that of the steamships of other lines upon the same or similar routes, and if for the space of three months the trips successively of the steamships of said company shall be made in longer time than that employed by other steamships as aforesaid, then any contract made under the provisions of this act shall cease and determine at the pleasure of the government of the United States.

Seven first-class steamships to be built, of what tonnage, and within what time;

to compose the United States Mail Steamship Line for the conveyance of mails and passengers.

Letters, &c. not to be detained to be sent by this line.

Rate of speed;

if not attained, contract may cease.

SEC. 3. *And be it further enacted*, That the compensation for carrying and transporting the mails by sea, as herein provided, shall be agreed upon, and shall be in conformity with the act of Congress, approved June fourteen, eighteen hundred and fifty-eight, and shall in no event or contingency exceed the sum therein provided, being all postage on letters, newspapers, and all other matter transported by or in the mails carried by said navigation company, shall belong to said company, and shall be paid to said navigation company quarterly, or applied to their use or benefit, as hereinafter provided: *Provided*, That when the receipts of said navigation company from sea postages, under any contract to be made in pursuance of this act, shall equal or exceed the sum of four hundred thousand dollars per annum, then the right of said company to receive the inland postages shall cease and determine, and said company shall only receive the sea postages: *Provided*, That such postages shall not exceed six hundred thousand dollars per annum, after the discontinuance of said inland postage.

Compensation not to exceed postage, &c.; 1858, ch. 164. Vol. xi. p. 364.

to be paid to the company quarterly.

When sea postages exceed $400,000 a year, company not to receive inland postages, nor sea postages beyond $600,000.

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Company may issue bonds;

amount, and when payable;

principal and interest payable in coin;

to be registered at Post-Office Department.

Postmaster-General to apply moneys earned for postages to pay the interest of the bonds, and balance for sinking fund.

When sinking fund equals principal, interest how to be paid, and postages how applied.

Sec. 4. *And be it further enacted*, That to insure the construction of the above-mentioned vessels within the time and in the manner hereinbefore provided, and the maintenance of the said line, the said Commercial Navigation Company may issue bonds to such an amount that the entire annual interest thereon shall not exceed the sum of two hundred and fifty thousand dollars, such bonds to be made payable at the expiration of the before-named fifteen years, and the interest thereof to be made payable semiannually, the principal and interest of such bonds to be made payable in coin of the United States. That for the protection of the holders of such bonds they shall be severally registered at the Post-Office Department, and certified by the chief clerk of the Department, without liability for the payment of the interest or principal of said bonds upon the part of the Post-Office Department only in manner as hereinafter provided. And the Postmaster-General shall receive all moneys for postage earned by the steamships of said company, and shall apply the same as far as needed to the payment of the semiannual interest upon the before-named bonds, and shall retain the surplus after paying such interest, and shall invest the same quarterly in the securities of the United States to form a sinking fund, to be held solely for the benefit of the bondholders, and to be applied to the payment of the principal of such bonds. And whenever, and as soon as such sinking fund shall equal in amount the entire principal of said bonds, then from that time forward the interest of said bonds shall be paid out of the income of such sinking fund, and the principal thereof out of the same fund at their maturity. And all postage earned after the time when said sinking fund shall be made up to the amount aforesaid, shall belong to and be paid quarterly to the said company by the Postmaster-General of the United States.

Steamships, how to be commanded, &c.;

armament;

apprentices;

may be taken by the United States as transports, &c. if exigency requires;

payment therefor.

Sec. 5. *And be it further enacted*, That the aforesaid mail steamships shall be commanded and officered only by citizens of the United States, shall mount an armament, if required, of two guns each, and shall have at least one apprentice to be instructed in engineering, seamanship, and navigation, for every two hundred tons of registered tonnage for each steamship; and the government of the United States shall have the power to take and use the aforesaid mail steamships as transports or for ships of war whenever, in the opinion of the President, the exigencies of the United States may require them, who is authorized, in such an event, to take said mail steamers and pay said company a just and equitable sum for their use, or purchase the same, as may be deemed most for the interest of the United States; said payment, whether for purchase or use, to be made to the Postmaster-General, who shall pay to said navigation company whatever balance be due them, after deducting sufficient for payment for all the before-named registered bonds, the amount of which in this event shall be paid to the holders thereof at maturity of the same.

Foreign mail agents of the government to have free passage.

Sec. 6. *And be it further enacted*, That the foreign mail agents of the government of the United States shall have free passage on the ships of the said Commercial Navigation Company whenever the Postmaster-General to such foreign mail agents issues passes certifying to the said company that such is their official character.

Company to maintain steamships for twenty years.

Sec. 7. *And be it further enacted*, That the said navigation company shall keep up and maintain for a period of twenty years, for the said United States mail service, at least the said number of seven first-class steamships.

Privileges, &c. of this act not to be transferred or assigned.

Intent of act.

Sec. 8. *And be it further enacted*, That the rights and privileges herewith granted shall be and remain to this company, and in no event shall this company transfer or assign the rights and privileges herein granted, nor shall it be lawful for any officer of the government hereafter to recognize any assignment or transfer, it being the intent and meaning of this act to secure an American line of *of* steam-vessels for the trans

portation of mails and the proper conveyance of emigrant passengers between the port of New York and the European ports above named; and Congress may at any time hereafter, during the period of fifteen years, terminate or abandon any contract of the United States made with such company, and, having a due regard to the accrued rights of the said company, alter, repeal, or amend this act, and it shall take effect and be in force from and after its passage.

Congress may terminate the contract or repeal the act.

APPROVED, July 27, 1868.

CHAP. CCLXI. — *An Act relating to the Alexandria Canal.*

July 27, 1868.

Alexandria canal.

WHEREAS by an act of Congress, on the twenty-sixth day of May, eighteen hundred and thirty, the Alexandria Canal Company was incorporated, and authorized and empowered to construct, operate, and maintain a canal from Georgetown, in the District of Columbia, to Alexandria, in the State of Virginia, with an aqueduct across the Potomac river at Georgetown; and whereas by an act of the general assembly of the State of Virginia, passed on the sixteenth day of February, eighteen hundred and sixty-six, the board of public works was authorized to unite with the corporate authorities of the city of Alexandria in making disposition of the Alexandria canal, in order to repair and make said canal available; and whereas said board of public works did, in pursuance of said authority, so unite with said corporate authorities, and did by their joint vote, and a vote of the majority of the stockholders of said canal company, empower and direct the president and directors of the said canal company to lease the said canal for the period of ninety-nine years; and whereas the said president and directors, in pursuance of said authority, did, on the sixteenth day of May, eighteen hundred and sixty-six, grant, lease, and convey the said canal, its aqueduct, locks, banks, lands, gates, and property of all description to Henry H. Wells, Philip Quigley, and William W. Dungan, the grantees therein named; and whereas afterward, and by an act passed by the general assembly of the State of Virginia, on the seventeenth day of April, eighteen hundred and sixty-seven, the said lease was ratified and affirmed, and the lessees were further authorized and empowered to build, operate, and maintain a new aqueduct, and in conjunction therewith a railroad and a road bridge across said piers, and build, operate, and maintain a railroad from Georgetown to Alexandria; and whereas the said lessees have entered into possession of and repaired the said canal, and have erected a new aqueduct across the said Potomac river upon the said piers connecting the Chesapeake and Ohio canal with the said Alexandria canal: Therefore,

Preamble. 1830, ch. 104. Vol. vi. p. 419.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said aqueduct across the Potomac river from Georgetown to the Virginia shore, and so connecting the said canals, is hereby declared to be a lawful structure in its present position and elevation, anything in any law or laws of the United States, or of any State, to the contrary notwithstanding.

Aqueduct across the Potomac from Georgetown declared a lawful structure;

SEC. 2. *And be it further enacted*, That the said lessees, their associates, their heirs, and assigns, are hereby authorized and empowered to maintain and operate said aqueduct, and to erect, build, operate, and maintain across the Potomac river from Georgetown, in the District of Columbia, to the Virginia shore, upon and over the stone piers upon which the aqueduct now rests, in conjunction therewith, a bridge of wood, iron, or stone, with one or more ways for the passage of persons, animals, and vehicles, and also with one or more tracks or ways for the passage of engines and cars, with such other conveniences as are usual or necessary for a railroad.

may be maintained and operated, and bridge erected over it.

SEC. 3. *And be it further enacted*, That it shall be lawful for the said lessees, their associates and successors, to lay out, construct, maintain, and

A railroad may be maintained,