

pleting the fortifications commenced for the security of the seaport towns and harbors of the United States and territories thereof, exclusive of the contemplated line of blocks and chains across the harbor of New York, there be, and hereby is appropriated the sum of four hundred and fifty thousand dollars, to be paid out of any monies in the treasury not otherwise appropriated.

Appropriation.

SEC. 2. *And be it further enacted*, That the President of the United States be, and he is hereby authorized to cause the canal of Carondelet, leading from Lake Ponchartrain, by way of the Bayou St. John, to the city of New Orleans, to be extended to the river Mississippi, and made sufficiently deep throughout to admit an easy and safe passage to gun boats, if, upon survey thereof, he shall be convinced that the same is practicable, and will conduce to the more effectual defence of said city; and that for the purpose of defraying the expense thereof, there be, and hereby is appropriated the sum of twenty-five thousand dollars, to be paid out of any monies in the treasury not otherwise appropriated.

Canal of Carondelet, to be made under the direction of the President.

Appropriation.

APPROVED, February 10, 1809.

STATUTE II.

CHAP. XVI.—*An Act to revive and continue for a further time, the authority of the Commissioners of Kaskaskia.*

Feb. 15, 1809.

[Expired.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the powers heretofore vested in the register and receiver of public monies for the district of Kaskaskia be, and the same are hereby revived; and the said register and receiver shall be allowed until the first day of January next, to complete the investigation of claims to land in said district; they shall have full power to revise any of their former decisions, and also the same power and authority in relation to claims to land in the village of Pioria; notices of which have heretofore been filed as they have in relation to other claims in the said district; and the said register and receiver, and the clerk of the board, shall each be allowed an additional compensation of five hundred dollars, in full for his services in relation to such claims.

Powers vested in the register and receiver of Kaskaskia revived and continued to Jan. 1, 1810.

1806, ch. 40.

APPROVED, February 15, 1809.

STATUTE II.

CHAP. XVII.—*An Act to incorporate a company for opening the Canal in the City of Washington.*

Feb. 16, 1809.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Robert Brent, Samuel N. Smallwood, Daniel Carroll of Duddington, John Law, William Brent, Frederick May, Elias B. Caldwell, James D. Barry, Griffith Coombe, and George Blagden, or any five of them be, and they are hereby appointed commissioners to open, or cause to be opened, a book for receiving and entering subscriptions for raising a capital stock not exceeding one hundred thousand dollars, in shares of one hundred dollars each, for the purpose of opening the canal to communicate from the Potomac river to the Eastern Branch thereof, through a part of the city of Washington, and that one month's notice be given in one of the newspapers printed in Washington, Georgetown, and Alexandria, of the time and place of opening the said subscription book, and that the same be kept open until the sum of forty thousand dollars be subscribed: *Provided*, that no subscription shall be received unless the sum of ten dollars be paid into the hands of the persons authorized to receive the same, on each share subscribed for.

Commissioners, &c. appointed for receiving subscriptions.

Stockholders to have a meet-

ing and appoint
directors, &c.

five of them, shall call a meeting of the stockholders at the city of Washington, by advertisement in one of the newspapers printed in Washington, Georgetown, and Alexandria, appointing a fit and convenient time and place of meeting; and the said stockholders shall proceed in person, or by proxy, to the election, by ballot, of a president and six directors for conducting the said undertaking, and managing the business of the company, for and during the term of one year from the time of their appointment.

Style of the
company.

SEC. 3. *And be it further enacted*, That the said stockholders and their successors, from the time of the said first meeting, shall be, and they are hereby declared to be, incorporated by the name of the "Washington Canal Company," and by that name may sue and be sued, implead and be impleaded, answer and be answered, and may make all necessary by-laws and regulations for the proper management of the business of the company: *Provided*, that the same be not contrary to the laws of the United States, or the laws in force in the district of Columbia.

Proviso.

Term of ser-
vice of the di-
rectors, &c. &c.

SEC. 4. *And be it further enacted*, That the said president and directors shall continue in office one year from the time of their election, and the directors may fill any vacancy which may happen in their own body during the term for which they were elected, and in case of the death, resignation or disqualification of the president, they may elect a president to serve for the residue of the term; and the said stockholders, in one year after the day on which the election of president and directors shall be first made, and on the same day in every year thereafter, (except the same shall happen on Sunday, in that case on the day succeeding) shall elect by ballot from among the stockholders one person as president, and six persons as directors; and the president and directors, for the time being, shall give public notice in one of the newspapers printed in Washington, Georgetown, and Alexandria, for a new election, at least ten days previous to the expiration of the time for which they were elected; and each stockholder shall be allowed one vote for every share by him or her held at the time in said company; and any stockholder, by a written authority, under his or her hand, and executed in the presence of two witnesses, may depute any other stockholder to vote and act as proxy for him or her at any general meeting.

Powers of the
directors of the
Washington Ca-
nal Company.

SEC. 5. *And be it further enacted*, That the said president and directors so elected, and their successors, shall be, and they are hereby authorized and empowered to agree with any person or persons, on behalf of said company, to cut the canal, as laid down on the plan of the city of Washington, erect such locks, and perform such other works as they shall judge necessary, for opening the canal aforesaid, and the forks thereof; and out of the monies arising from subscriptions, wharfage and tolls, to pay for the same; and to repair and improve the said canal, locks, and other works necessary thereto, and to defray all incidental charges, and also to appoint a treasurer, clerk, and such other officers, toll-gatherers, managers and servants, as they shall judge requisite, and to settle their respective wages.

Treasurer of
the company to
give bond, &c.

SEC. 6. *And be it further enacted*, That the treasurer of the said company shall, before he acts as such, give bond to the company in such penalty, and with such security as the said president and directors shall direct, conditioned for the faithful performance of the duties of his office.

Stockholders
to pay up the
remaining nine
tenths of their
shares, &c. &c.

SEC. 7. *And be it further enacted*, That the said president and directors so elected, and their successors, shall have full power and authority to demand and receive of the stockholders, in equal proportions, the remaining nine tenths of the shares, from time to time, as they shall judge necessary; and if any of the stockholders shall neglect or refuse to pay their proportions, within one month after the same shall have been ordered, the share or shares of such defaulter shall be forfeited: *Pro-*

vided, that notice shall be given, by advertisement, in one of the newspapers printed in Washington, Georgetown, and Alexandria, of the time when the same shall be ordered to be paid.

Proviso.

SEC. 8. *And be it further enacted*, That the said company shall not begin to collect wharfage or tolls, until the canal is made navigable for boats and scows drawing three feet water to pass through the same, from the Potomac river to the eastern branch thereof: And if at any time the said canal shall become obstructed, so that boats and scows drawing three feet water cannot pass through the same, from the Potomac river to the Eastern branch thereof, it shall not be lawful for the said company to collect any wharfage or tolls, until such obstruction shall have been removed.

When tolls shall be receivable.

SEC. 9. *And be it further enacted*, That every president and director, before he acts as such, shall take an oath or affirmation that he will well and faithfully discharge the duties of his office; and any four of the directors, with the president, shall constitute a quorum for transacting any business of the company.

President and directors to be sworn.

SEC. 10. *And be it further enacted*, That the shares in the said company shall be deemed personal and not real property, and transferable in such manner as the company shall direct, and that the shares held by any individual shall be liable to be attached or taken by fieri facias, to satisfy the debts due from any such individual, in like manner as other personal property may be.

Shares to be personal property—made liable to executions, as such.

SEC. 11. *And be it further enacted*, That there shall be a general meeting of the stockholders on the first Monday in June, and the first Monday in December, in every year, in the city of Washington, to which meeting the president and directors shall make a report, and render distinct and just accounts of all their proceedings; and on finding them justly and fairly stated, the stockholders then present, or a majority of them, shall give a certificate thereof; and at such half yearly general meetings, after leaving in the hands of the treasurer such sum as shall be judged necessary for repairs, improvements or contingent charges, an equal dividend of all the nett profits arising from the wharfage and tolls hereby granted, shall be ordered, and made to and among all the stockholders of the said company, in proportion to their several shares: *Provided*, that if the nett profits shall, in any year, exceed fifteen per centum on the sum actually expended by the said company, in opening the said canal, and completing the same, the fifteen per centum only of the nett profits shall be divided among the stockholders, and the excess shall be paid to the mayor and city council of the city of Washington, for the use of the said city.

Annual meetings to be held of the stockholders.

Dividends to be made.

Proviso.

SEC. 12. *And be it further enacted*, That for and in consideration of the expenses the said stockholders shall incur in cutting the canal, erecting locks, and in maintaining and keeping the same in repair, and in the enlargement and improvement of the same, the said company is hereby authorized to collect on all articles and materials landed on each side of the canal, from on board any boat or scow, or placed on either side of the said canal, for the purpose of being taken therefrom by any boat or scow, according to such rates as the president and directors may, from time to time, by their by-laws, order and direct: *Provided*, that the said rates shall, at no time hereafter, and in no particular, exceed the rates which are, or may be established by the owners of wharves in the city of Washington. And it shall and may be lawful for the said company to demand and receive, at the most convenient place, for all articles carried through the said canal, tolls not exceeding the following rates, that is to say: for each unloaded boat or scow twenty-five cents; for each barrel of flour two cents; for each barrel of beef or pork two cents; for each barrel of whiskey or brandy three cents; for each hog-head or pipe six cents; and upon all other articles, packages and com-

Tolls.

Proviso.

modities, one sixth part of the amount of tolls allowed by law to be received by the Potomac Company, at the Great Falls of the river Potomac. And the said company shall also have the exclusive right to establish a packet boat or boats upon the said canal for carrying passengers, and no other packet boat or boats, but such as are established or permitted by them, shall be allowed to carry passengers through the same for hire.

Public property free of toll.

SEC. 13. *Provided always, and be it further enacted,* That all public property shall pass through the said canal free of toll, and also, that in case the said canal and one of the forks thereof, shall not be completed within the term of seven years from the passage of this act, in such manner as to admit boats and scows drawing three feet water to pass through the same, that the said canal shall revert to the United States, and all right and authority hereby granted to the said company shall cease and determine.

Limitation of the time when the canal shall be finished.

Bridges may be erected over the canal.

SEC. 14. *And be it further enacted,* That the said company shall, from time to time, whenever and wherever the mayor and city council shall order and direct, suffer bridges to be erected across the canal, and shall suffer the same when erected to be repaired: *Provided,* that every bridge so erected, shall be at least six feet above high water mark.

Proviso.

Annual statement of the receipts and expenditures to be laid before Congress.

SEC. 15. *And be it further enacted,* That the president and directors of said company, after the said canal shall be opened and made passable for boats and scows drawing three feet water, shall annually, in the month of January, lay before the Congress of the United States, a just and true account of their receipts and expenditures, with a statement of the clear profits thereof.

APPROVED, February 16, 1809.

STATUTE II.

Feb. 17, 1809.

CHAP. XVIII.—*An Act making appropriations for the support of Government during the year one thousand eight hundred and nine.*

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the expenditure of the civil list in the present year, including the contingent expenses of the several departments and offices; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expense of intercourse with foreign nations; for the support of lighthouses, beacons, buoys, and public piers; for defraying the expenses of surveying the public lands, and for satisfying certain miscellaneous claims; the following sums be, and the same hereby are respectively appropriated, that is to say:

Specific appropriations.

For compensation granted by law to the members of the Senate and House of Representatives, their officers and attendants, estimated for a session of four months and a half continuance, two hundred and one thousand, four hundred and twenty-five dollars.

For the expense of firewood, stationery, printing, and all other contingent expenses of the two houses of Congress, twenty-eight thousand dollars.

For all contingent expenses of the library of Congress, and for the librarian's allowance for the year one thousand eight hundred and nine, eight hundred dollars.

For compensation to the President and Vice President of the United States, thirty thousand dollars.

1806, ch. 41.

For compensation to the Secretary of State, clerks and persons employed in that department, including the sum of one thousand dollars for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first day of April, one thousand eight hundred and six, thirteen thousand five hundred and sixty dollars.