

to pay its ordinary current expenses, but a large annual deficiency averaging fifty thousand dollars or thereabouts has regularly accrued; and

WHEREAS, it has been represented to this General Assembly that a lease for nine-nine years, renewable forever, can be made upon terms that will insure the building of a thoroughly equipped railroad along the line of said canal from Cumberland, Maryland, to Washington city, in the District of Columbia, and which will provide for the purchase of said repair bonds and coupons thereon, issued under said act of eighteen hundred and seventy-eight, chapter fifty-eight, amounting to more than five hundred and ninety thousand dollars, and of said debt for labor and repairs amounting to seventy thousand dollars, or thereabouts, and said judgment for about thirty thousand dollars, and the payment of twenty-five per cent. of the principal of the said preferred construction bonds, issued under the act of eighteen hundred and forty-four, chapter two hundred and eighty-one, and the regular payment to this State of fifteen thousand dollars per annum, redeemable at the option of said company upon payment of three hundred thousand dollars; provided, power shall be conferred by law upon said Chesapeake and Ohio canal company to execute such lease; and provided further, that the prior liens of the State upon said canal and its works shall be waived and released in favor of such lessee; now therefore,

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the Chesapeake and Ohio canal company shall have power to lease for the term of ninety-nine years, renewable forever, to the Washington and Cumberland railroad company, a corporation incorporated under article twenty-three, of the Code of Public General Laws, entitled "Corporations," and whose charter has been amended at the present session of the General Assembly, its canal and adjacent lands, works, corporate property, water-rights and franchises of every description upon the terms and conditions following, to wit: the said railroad company shall enter upon and take possession of said canal and its adjacent land, works, dams, water-rights wharves and other property immediately upon the execution of said lease, and construct upon the tow-path or bed of the canal or the lands or banks of said canal or upon lands adjacent to said canal acquired for the purpose, a continuous line of railroad between Cumberland and the city of Washington, District of Columbia, and shall equip and put the same in running order with one or more tracks for the transportation of passengers and freight between Cumberland and Williamsport within one year from the date of said lease, and between Williamsport and Washington within two years from date of said lease; in case delay shall occur in the commencement and prosecution of said work in consequence of legal proceedings in-