

CHAP. CXXXIX. — *An Act prescribing an Oath of Office to be taken by Persons from whom legal Disabilities shall have been removed.* July 11, 1868.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any person who has participated in the late rebellion, and from whom all legal disabilities arising therefrom have been removed by act of Congress by a vote of two thirds of each house, has been or shall be elected or appointed to any office or place of trust in or under the government of the United States, he shall, before entering upon the duties thereof, instead of the oath prescribed by the act of July two, eighteen hundred and sixty-two, take and subscribe the following oath or affirmation: I, A. B., do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Form of oath of office to be taken by those from whom legal disabilities have been removed. 1862, ch. 128. Vol. xii. p. 502.

See post, p. 344.

APPROVED, July 11, 1868.

CHAP. CXL. — *An Act to incorporate the Connecticut Avenue and Park Railway Company in the District of Columbia.* July 13, 1868.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Augustus B. Stoughton, John Little, John L. Kidwell, George H. Plant, Le Roy Tuttle, G. W. Hopkins, R. M. Hall, and their associates and assigns, be, and they are hereby, created a body corporate, under the name of the "Connecticut Avenue and Park Railway Company," with authority to construct and lay down a single or double track railway, with the necessary switches and turnouts, in the city of Washington, in the District of Columbia, through and along the following avenues, streets, and highways: Commencing at the intersection of Seventeenth Street west and Pennsylvania Avenue, along the west side of Seventeenth Street to its intersection with H Street north, thence along Seventeenth Street west to its intersection with Connecticut Avenue, thence along said Avenue to Boundary Street; also, from the intersection of Boundary Street and Connecticut Avenue along the county road from such intersection, thence on any road opened, or which may hereafter be opened, west of the Fourteenth Street road to within or through the proposed public park, or to the county line of Washington County, with the right to run public carriages thereon drawn by horse-power, receiving therefor a rate of fare not exceeding six cents a passenger for any distance on said road: *Provided,* That should a majority of stockholders so elect, said road, after reaching the intersection of Boundary Street and Connecticut Avenue, instead of continuing from said intersection up the county road now opened, may be constructed along Boundary Street in the direction of Meridian Hill to any county road opened, or which may hereafter be opened, west of Sixteenth Street west, and thence along said county road by the most practicable route to the terminus near, at, in, or through the proposed park, as hereinbefore provided.

Connecticut Avenue and Park Railway Company incorporated.

Route of road.

Rate of fare.

Part of route may be changed

SEC. 2. *And be it further enacted,* That said road shall be deemed real estate, and, together with other real and personal property of said body corporate, shall be liable to taxation as other real estate and personal property, and to license for their vehicles or cars in the city and county aforesaid, except as hereinafter provided.

Property of road liable to taxation, &c.

SEC. 3. *And be it further enacted,* That the said railway shall be laid in the centres of the avenues and streets in the city (excepting Seventeenth Street, there it shall be laid as hereinbefore provided for), as near as may be without interfering with or passing over the water or gas pipes,

Track to be laid in centre of streets, &c. except, &c.

in the most approved manner adapted for street railways, with rails of the most approved pattern to be determined by the Secretary of the Interior, laid upon an even surface with the pavement of the streets or avenues; and the space between the two tracks, when two are laid, shall not be less than four feet, nor more than six feet; and the carriages shall not be less than six feet in width, the gauge to correspond with that of the Washington and Georgetown railroad. That the railway in the county shall be laid in such manner as will least interfere with the ordinary travel of the roads on which the said track shall be laid.

SEC. 4. *And be it further enacted*, That the said corporation hereby created shall be bound to keep said tracks, and for a space of two feet beyond the outer rail thereof, and also the space between the tracks, at all times well paved and in good order, without expense to the United States, the city or county of Washington.

SEC. 5. *And be it further enacted*, That nothing in this act shall prevent the the government at any time, at their option, from altering the grade or otherwise improving all avenues and streets occupied by said road, or the city of Washington from so altering or improving such streets and avenues and the sewerage thereof, as may be under their respective authority and control; and in such event it shall be the duty of said company to change their said railway so as to conform to such grade and pavement.

SEC. 6. *And be it further enacted*, That this act may at any time be altered, amended, or repealed by the Congress of the United States.

SEC. 7. *And be it further enacted*, That nothing in this act shall be so construed as to authorize said body corporate to issue any note, token, device, scrip, or other evidence of debt to be used as a currency.

SEC. 8. *And be it further enacted*, That the capital stock of said company shall not be less than fifty thousand dollars, nor more than two hundred thousand dollars, and that the stock shall be divided into shares of twenty-five dollars each, and shall be deemed personal property, transferable in such manner as the by-laws of said company may direct.

SEC. 9. *And be it further enacted*, That the said company shall place first-class cars on said railway, with all the modern improvements for the convenience and comfort of passengers, and shall run cars thereon during the day as often as every ten minutes, between Pennsylvania Avenue and Boundary Street, and through the day and night on the entire road, or such portions as may be completed, as often as the public convenience may require.

SEC. 10. *And be it further enacted*, That the said company shall procure such passenger-rooms, ticket-offices, stables, and depots, at such points as the business of the railroad and the convenience of the public may require. And said company is hereby authorized to lay such rails through transverse or other streets as may be necessary for the exclusive purpose of connecting the said stables and depots with the main tracks. And the said company is hereby authorized to purchase or lease such lands or buildings as may be necessary for the passenger-rooms, ticket-offices, stables, and depots above mentioned.

SEC. 11. *And be it further enacted*, That all articles of value that may be inadvertently left in any of the cars or other vehicles of the said company shall be taken to their principal depot, and entered in a book of record of unclaimed goods, which book shall be open to the inspection of the public at all reasonable hours of business.

SEC. 12. *And be it further enacted*, That within thirty days after the passage of this act the corporators named in the first section, or a majority of them, or if any refuse or neglect to act, then a majority of the remainder, shall cause books of subscription to the capital stock of said company to be opened and kept open, in some convenient and accessible place in the city of Washington, from nine o'clock in the forenoon until

Gauge.

Corporation to keep tracks and part of road in repair, &c.

Grade of streets may be altered, &c.

Company to make their road conform to changed grade.

Act may be altered, &c.

Corporation not to issue notes, &c. as currency.

Capital stock.

Par value of shares, and transfer.

Cars to be first-class, and run how frequently.

Passenger-rooms, depots, stables, &c.

Connecting tracks.

Articles left in the cars.

Books of subscription to capital stock to be opened and notice given.

three o'clock in the afternoon, for a period, to be fixed by said corporators, not less than two days, and said corporators shall give public notice by advertisement in the daily papers published in the city of Washington of the time when and the place where said books shall be opened; and subscribers upon said books to the capital stock of the company shall be held to be stockholders: *Provided*, That no one individual shall be allowed to subscribe for more than one hundred shares of said stock: *Provided further*, That every subscriber shall pay at the time of subscribing twenty-five per centum of the amount by him subscribed to the treasurer appointed by the corporators, or his subscription shall be null and void. If, at the end of two days, a larger amount than the capital stock of said company shall have been subscribed, the books shall be closed, and the said corporators named in the first section shall forthwith proceed to apportion said capital stock among the subscribers pro rata, and make public proclamation of the number of shares allotted to each, which shall be done and completed on the same day the books are closed: *Provided further*, That nothing shall be received in payment of the twenty-five per centum at the time of subscribing except money. And when the books of subscription to the capital stock of said company shall be closed, the corporators named in the first section, or a majority of them, and in case any of them refuse or neglect to act, then a majority of the remainder, shall, within ten days thereafter, call the first meeting of the stockholders of said company, to meet within ten days thereafter for the choice of directors, of which public notice shall be given for five days in two public newspapers published daily in the city of Washington, or by written or printed personal notice to each stockholder by the clerk of the corporation. And in all meetings of stockholders each share shall entitle the holder to one vote, to be given in person, or by proxy.

Subscribers to be stockholders. Limit to subscription. Twenty-five per cent to be paid in currency at time of subscription. Apportionment of stock, if, &c.

First meeting of stockholders. Notice.

Voting; proxy.

Directors, number and term of office.

Quorum. President and treasurer.

Vacancies.

Power of directors. By-laws.

Shares of delinquent stockholders to be sold.

SEC. 13. *And be it further enacted*, That the government and direction of the affairs of the company shall be vested in a board of directors, seven in number, who shall be stockholders, and who shall hold their office for one year, and until others are duly elected and qualified to take their places as directors. And the said directors (a majority of whom, the president being one, shall be a quorum) shall elect one of their number to be president of the board, who shall also be president of the company; and they shall also choose a treasurer, who shall give bonds with surety to said company, in such sum as the said directors may require, for the faithful discharge of his trust. In case of a vacancy in the board of directors by the death, resignation, or otherwise, of any director, the vacancy occasioned thereby shall be filled by the remaining directors.

SEC. 14. *And be it further enacted*, That the directors shall have full power to make and prescribe such by-laws, rules, and regulations as they shall deem needful and proper, tending the disposition and management of the stock, property, estate, and effects of the company, not contrary to the charter, or to the laws of the United States and the ordinances of the city and county of Washington: *Provided*, That the directors of said corporation shall have power to require the subscribers to the capital stock to pay the amount by them respectively subscribed at such time, after the first instalment, in such manner and in such amounts as they may deem proper; and if any stockholder shall refuse or neglect to pay any instalments, as required by a resolution of the board of directors, after reasonable notice of the same, the said board of directors may sell at public auction, to the highest bidder, so many shares of said stock as shall pay said instalments (and the highest bidder shall be taken to be the person who offers to purchase the least number of shares for the assessment due), under such general regulations as may be adopted in the by-laws of said corporation, or may sue for or collect the same in any court of competent jurisdiction.

SEC. 15. *And be it further enacted*, That there shall be an annual meeting.

Annual meeting.

Report to Congress, &c.

City or county officers not to delay or obstruct the construction, &c. of railway.

Company to have free use of road-way.

Penalty for obstructing, &c.

Suits to be begun in sixty days.

Railway to be completed within what time ;

if not, act to be void.

Color not to exclude from cars.

Individual liability of stockholders.

Tickets to be sold by package, and at what rate.

Provisions of charter of Washington and Georgetown R. R. Co. as to reports to apply to this road.

1862, ch. 78. Vol. xii. p. 388. Repealing clause.

meeting of the stockholders, for choice of directors, to be holden at such time and place, under such conditions, and upon such notice as the said company in their by-laws may prescribe ; and said directors shall annually make a report, in writing, of their doings to Congress and to the stockholders.

SEC. 16. *And be it further enacted*, That the mayor, council of said city, and the levy court of said county, and the several officers of these corporations, and the said corporations, are hereby prohibited from doing any act or thing to hinder, delay, or obstruct the construction or operations of said railway, as herein authorized.

SEC. 17. *And be it further enacted*, That the said company shall have at all times the free and uninterrupted use of the road-way. And if any person or persons shall wilfully and unnecessarily obstruct or impede the passage or destroy the cars, depot-stations, or any other property belonging to said railway company, the person or persons so offending shall forfeit and pay for each such offence the sum of ten dollars to said company, to be recovered and disposed of as other fines and penalties in said city or county ; and shall remain liable, in addition to said penalty, for any loss or damage occasioned by his, her, or their act, as aforesaid ; but no suit shall be brought unless commenced within sixty days after such offence shall have been committed.

SEC. 18. *And be it further enacted*, That unless said corporation shall make and complete their said railway or railways between Pennsylvania Avenue and Boundary Street within eight months after the company shall have been organized, then this act shall be null and void, and no rights whatsoever shall be acquired under it ; and that the remainder of said road shall be completed within four years to its proposed terminus in the county of Washington.

SEC. 19. *And be it further enacted*, That there shall be no regulations excluding any person from any car on account of color.

SEC. 20. *And be it further enacted*, That each of the stockholders in the "Connecticut Avenue and Park Railway Company" shall be individually liable for all the debt[s] and liabilities of said company to an amount equal to the amount of stock held by such stockholder.

SEC. 21. *And be it further enacted*, That it shall be the duty of said company, when said road is completed between Pennsylvania Avenue and Boundary Street, to have prepared tickets for passengers on their cars, and to keep them at their office for sale by the package, at the rate of ten for fifty cents, and twenty for one dollar.

SEC. 22. *And be it further enacted*, That all the provisions of the act incorporating the Washington and Georgetown Railroad Company, requiring reports of expenditures, earnings, and otherwise, shall be applicable to the company herein incorporated, which shall make reports as in said act required.

SEC. 23. *And be it further enacted*, That all acts and parts of acts heretofore passed, which are inconsistent with any of the provisions of this act, are, for the purposes of this act, hereby repealed, so far as the same are inconsistent herewith.

APPROVED, July 13, 1868.

July 13, 1868. CHAP. CXXI. — An Act to incorporate the National Hotel Company, of Washington City.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That George H. Calvert, R. C. Weightman, James C. McGuire, Zeph English, George H. Calvert, jr., and Charles B. Calvert, their associates, successors, and assigns, are hereby created a body corporate and politic by the name of the National Hotel Company, in the city of Washington, in the District of Columbia,