

mental fountain. The covered entrances for pedestrians from the avenue front into the market square will also be laid with wood pavement, as above. Improvements.

G. Sewer. — Through the center of the square, from north to south, an egg-shaped sewer of brickwork laid in cement will be built, into which all the large-sized drain-pipes from the different sections of the whole improvement will discharge in a manner so as to sweep off all the rain-water, waste, and soil, and also to drain efficiently the ground of the whole square.

General Conditions. — The specifications and drawings are intended to co-operate, so that anything exhibited in the drawings and not mentioned in the specifications, or vice versa, is to be executed the same as if both were mentioned in the specifications, and set forth in the drawings, to the true meaning and spirit of said drawings. All the work to be done under the direction and according to the designs of the architect of the company. It is to be understood that these specifications are intended to include all and everything necessary to the completion of all the improvements in a good, substantial, and workmanlike manner, and modern style, with best, sound materials for each and every part and department, at the company's own cost. General conditions.

APPROVED, May 20, 1870.

[The drawings referred to in this act are on file with the original in the Department of State.]

CHAP. CIX. — *An Act to incorporate the Columbia Railway Company of the District of Columbia.* May 24, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William Gunton, John C. McKelden, Samuel Fowler, Wm. B. Todd, Wm. H. Clagett, John F. Callan, S. P. Brown, George H. Plant, W. C. Bestor, E. M. Gallaudet, R. C. Fox, Matthew G. Emery, Wm. Stickney, Martin M. Rohrer, Richard Sutton, David D. Cone, Robert Williams, Wm. P. Copeland, Wm. H. Nalley, G. H. B. White, James T. Pritchard, J. C. Wall, John H. McCutchen, Poulus Thyson, Bernard Hayes, Jacob D. Kitch, and their associates and assigns, be, and they are hereby, created a body corporate, under the name of the Columbia Railway Company, with authority to construct and lay down a single or double track railway, with the necessary switches and turnouts, in the city and county of Washington, in the District of Columbia, through and along the following avenues, streets, and highways: commencing at a point on the eastern side of West Fifteenth Street, on New York Avenue, thence eastwardly along said avenue to its intersection with North K Street; thence along North K Street to its intersection with Massachusetts Avenue; thence along Massachusetts Avenue to its intersection with North H Street; and thence along North H Street to its eastern termination with the Columbia turnpike gate; 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. Columbia Railway Company incorporated.

SEC. 2. *And be it further enacted,* That should a majority of the stockholders so elect, at any time within two years after the completion of said road (provided for in section one above), the said company shall have the right to extend said road, either with a single or double track, with the necessary switches and turnouts, along the line of the Columbia Turnpike Road Company, with the consent of said Turnpike Road Company, or on any other road or roads leading northwardly or eastwardly from such intersection at the Columbia turnpike gate, now opened, or which may hereafter be opened, by the proper authorities; and thence along said road or roads, by the most practicable route or routes, to the termini near, at, or in the Location of track.
Motive power.
Passenger fares.
Road may be extended within, &c.

Fare. District of Columbia, receiving therefor a rate of fare not exceeding seven cents a passenger for any distance on said road or roads. The carriages on the extension of said road or roads to be propelled either by horse-power or dummy engines, at the option of the said railway company.

Motive power. **SEC. 3. *And be it further enacted,*** That the said road or roads 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.

Road to be real estate and subject to taxation. **SEC. 4. *And be it further enacted,*** That the said railway shall be laid as near the centre of the avenues and streets in the city of Washington as practicable (without interfering with or passing over the water or gas pipes), in the most approved manner adapted to street railways, with the 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 (where 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 Metropolitan railroad. That the railways in the county (should it be determined to construct such roads) shall be laid in such manner as will least interfere with the ordinary travel of the road or roads on which the tracks shall be laid.

License for cars. **SEC. 5. *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, so far as the same are laid within the limits of the city of Washington, at all times well paved and in good order, without expense to the United States or the said city. And in case the road shall be extended beyond the limits of said city, as is heretofore provided, the said corporation shall be bound to keep said tracks, and for the space of two feet beyond the outer rail thereof, and also the space between the tracks, well gravelled or paved and in good order, so as not to impede the general travel on said roads by vehicles or otherwise, without expense to the county of Washington.

Railway track, how laid, &c. **SEC. 6. *And be it further enacted,*** That nothing in this act shall prevent the government at any time, at its option, from altering the grade, or otherwise improving all avenues and streets occupied by said road, or the city of Washington from so altering and 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.

Gauge. **SEC. 7. *And be it further enacted,*** That this act may at any time be altered, amended, or repealed by the Congress of the United States.

Corporation to keep what part of street in repair. **SEC. 8. *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 or device, scrip, or other evidence of debt, to be used as currency.

Grade of streets, &c. may be altered, &c. **SEC. 9. *And be it further enacted,*** That the capital stock of said company shall not be less than one hundred thousand dollars nor more than four hundred thousand dollars, and that the stock shall be divided into shares of fifty dollars each, and shall be deemed personal property, transferable in such manner as the by-laws of said company may direct.

Act may be altered, &c. **SEC. 10. *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 and as late as ten o'clock at night, and as often as every fifteen minutes, between West Fifteenth Street and the eastern terminus of North H Street; and in case the said road shall be extended beyond the city limits, on the entire road, or such portions as may be completed, through the day and night, as often as the public convenience and the interests of the railway company may require: *Provided, however,* That the carriages

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

Capital stock.

Shares and how transferable.

Cars, class and running.

or cars thereon shall make not less than eight trips each way per day during six days in each week.

SEC. 11. *And be it further enacted,* That the said company shall provide such passenger rooms, ticket *officers*, [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 or roads 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.

Passenger rooms, &c.

Connecting tracks.

Lands.

SEC. 12. *And be it further enacted,* That all articles of value that may be inadvertently left in any of the cars or other vehicles of said company shall be taken to its 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.

Articles left in cars, how cared for.

SEC. 13. *And be it further enacted,* That within thirty days after the passage of this act, the incorporators named in the first section, or a majority of them, or if any refuse 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 or places in the city of Washington for a period to be fixed by said incorporators, not less than two days; and said incorporators shall give public notice by advertisement in not less than two 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 two 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 incorporators, 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 incorporators 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 of the capital stock of said company shall be closed, the incorporators 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 seven directors, of which public notice shall be given for five days in not less than 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.

Subscription to capital stock.

Subscribers to be stockholders.

Proviso.

Twenty-five per cent. of subscription to be paid at time of subscribing.

Apportionment of capital stock.

Payment.

First meeting of stockholders.

Directors.

Votes and proxies.

SEC. 14. *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 constitute 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 security, to said company in such sum as the said directors may

Board of directors, number and term of office.

President, treasurer, &c.

Bond.

Vacancies.

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.

By-laws.

SEC. 15. *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 respecting 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 his 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 corporations; or said body corporate may sue and collect the same from any delinquent subscriber in any court of competent jurisdiction.

Subscription to stock, when to be called in.

Forfeiture.

SEC. 16. *And be it further enacted,* That there shall be an annual 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, or to the Secretary of the Interior, and to the stockholders in general meeting.

Annual meeting.

Report.

SEC. 17. *And be it further enacted,* That the mayor and 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.

Construction, &c. of railway not to be hindered, &c.

Penalty for obstructing roadway, injuring cars, &c.

SEC. 18. *And be it further enacted,* That the said company shall have, at all times, the free and uninterrupted use of the roadway. And if any person or persons shall wilfully and unnecessarily obstruct or impede the passage of, or destroy or injure 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 and 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.

Limit to certain suits.

Act to be void unless corporation complete, &c.

SEC. 19. *And be it further enacted,* That unless said corporation shall make and complete their said railway between West Fifteenth Street and the eastern terminus of North H Street within eight months after the company shall have been fully 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 (if commenced) to its proposed terminus in the county of Washington within five years.

Persons not to be prohibited from travelling in cars or ejected therefrom, except, &c.

SEC. 20. *And be it further enacted,* That no person shall be prohibited the right to travel on any part of said road or roads, or ejected from the cars thereof, for any other cause than that of being drunk, disorderly, unclean, contagiously diseased, refusing to pay the legal fare exacted, or to comply with the general regulations of the company.

Individual liability of stockholders.

SEC. 21. *And be it further enacted,* That each of the stockholders in the Columbia Railway Company shall be liable individually for all the

debts and liabilities of said company to an amount equal to the amount of stock held by such stockholder.

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.

Reports.
1862, ch. 73.
Vol. xii. p. 388.

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 be, and the same are, for the purposes of this act, hereby repealed, so far as the same are inconsistent herewith.

Repealing
clause.

APPROVED, May 24, 1870.

CHAP. CX. — *An Act to incorporate the National Union Savings Bank of the District of Columbia.*

May 24, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That George H. Plant, William S. Huntington, Lewis Clephane, H. A. Willard, George W. Adams, S. P. Brown, William Stickney, B. P. Snyder, A. L. Sturtavant, J. H. Lathrop, Nathaniel Wilson, R. D. Mussey, Zenas C. Robbins, William B. Todd, Edward Simms, Joseph Casey, James M. Latta, Henry Willard, William H. Philip, Alexander R. Shepherd, William P. Dole, Hugh McCulloch, and Mathew G. Emery, are hereby created, and their successors and assigns, shall be, and they are hereby declared to be, a body politic and corporate, by the name and style of the National Savings Bank of the District of Columbia, and by that name shall have succession, and be capable in law to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts of law and equity, and elsewhere; to make and to use a common seal, and the same to alter or renew at pleasure; and generally to do and perform all things relative to the object of this institution, which is now or shall be lawful for any individual or body politic or corporate to do.

National Sav-
ings Bank of the
District of Co-
lumbia incorpo-
rated.

Powers.

Seal.

SEC. 2. *And be it further enacted*, That the officers of said corporation shall consist of a president and vice-president, who, together with seven trustees, shall constitute a board of managers, four of whom, if the president or vice-president be present, shall constitute a legal meeting of such board for the transaction of business.

Officers.

Quorum of
managers.

SEC. 3. *And be it further enacted*, That said corporation shall meet annually in the month of April, and as much oftener as they may judge expedient, and any seven members of said corporation, the president, secretary, or treasurer being one, shall be a quorum, and the said corporation at their annual meeting shall have power to elect a president and a treasurer, who shall give bond in the sum of ten thousand dollars, for the faithful discharge of the duties of his office, and all such other officers as may be deemed necessary; which officers shall continue in office one year, and until others are chosen in their stead, and all officers so chosen shall be under oath to the faithful discharge of the duties of their offices, respectively.

Annual meet-
ing of corpora-
tion.

Quorum.

Officers.

Bond.

Term of office.

Oath.

SEC. 4. *And be it further enacted*, That said corporation may receive on deposit, for the use and benefit of the depositors, all sums of money offered for that purpose. All such sums may be invested in the stock of any bank incorporated by Congress, or may be loaned on interest to any such bank, or may be loaned on bonds or notes, with collateral security of the stock of such banks at not more than ninety per centum of its par value, or they may be invested at [in] the public funds of the United States, of the several States, or loaned on a pledge of any of said funds, or invested in loans on mortgages of real estate: *Provided*, That the whole amount of stock held by the institution at one time in any one bank, both

Deposits and
investments.

Proviso.