

or contagiously diseased, or refusing to pay the legal fare exacted, or to comply with the lawful general regulations of the company.

SEC. 23. That this act may at any time be altered, amended, or repealed by the Congress of the United States.

Amendment.

SEC. 24. That in the event that the company should not be able to come to an agreement with the owner or owners of any land through which the said road may be located to pass, proceedings for the condemnation for the use of the company of so much of said land as may be required, not exceeding fifty feet in width, with necessary slopes, and one hundred and thirty feet in width in the line of Rhode Island avenue extended, may be instituted in the usual way in the supreme court of the District of Columbia, under such rules and regulations as said court may prescribe for such purposes: *Provided*, That the extension of Rhode Island avenue herein authorized, whether acquired by condemnation or otherwise, shall be dedicated to the public use in the same manner and subject to the same regulations and control that apply to other streets and avenues in the District of Columbia occupied by street railways.

Condemnation proceedings.

*Proviso.*  
Extension of Rhode Island avenue.

Approved, August 1, 1892.

**CHAP. 360.**—An act to amend an act entitled "An act authorizing the appointment of receivers of national banks, and for other purposes," approved June thirtieth, eighteen hundred and seventy-six.

August 3, 1892.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section three of an act entitled "An act authorizing the appointment of receivers of national banks, and for other purposes, approved June thirtieth, eighteen hundred and seventy-six," is hereby amended so as to read as follows:

National banks.  
Vol. 19, p. 63.

"SEC. 3. That whenever any association shall have been or shall be placed in the hands of a receiver, as provided in section fifty-two hundred and thirty-four and other sections of the Revised Statutes of the United States, and when, as provided in section fifty-two hundred and thirty-six thereof, the Comptroller of the Currency shall have paid to each and every creditor of such association, not including shareholders, who are creditors of such association, whose claim or claims as such creditor shall have been proved or allowed as therein prescribed, the full amount of such claims, and all expenses of the receivership and the redemption of the circulating notes of such association shall have been provided for by depositing lawful money of the United States with the Treasurer of the United States, the Comptroller of the Currency shall call a meeting of the shareholders of such association by giving notice thereof for thirty days in a newspaper published in the town, city, or county where the business of such association was carried on, or if no newspaper is there published, in the newspaper published nearest thereto. At such meeting the shareholders shall determine whether the receiver shall be continued and shall wind up the affairs of such association, or whether an agent shall be elected for that purpose, and in so determining the said shareholders shall vote by ballot in person or by proxy, each share of stock entitling the holder to one vote and the majority of the stock in value and number of shares shall be necessary to determine whether the said receiver shall be continued or whether an agent shall be elected. In case such majority shall determine that the said receiver shall be continued, the said receiver shall thereupon proceed with the execution of his trust and shall sell, dispose of, or otherwise collect the assets of the said association and shall possess all the powers and authority, and be subject to all the duties and liabilities originally conferred or imposed upon him by his appointment as such receiver, so far as the same remain applicable. In case the said meeting shall by the vote of a majority of the stock in value

Winding up business.

R. S., secs. 5234, 5236, p. 1018.

Meeting of shareholders after all debts paid, etc.

Shareholders to decide whether receiver or agent shall wind up affairs.

Settlement by receiver.

Election of agent.

Bond by shareholders.

Transfer to agent by receiver and Comptroller.

Duty of agent.

Votes of executors, etc.

Distribution of proceeds of assets.

Expenses.

Repayment of assessments upon shareholders.

Balance.

and number of shares determine that an agent shall be elected, the said meeting shall thereupon proceed to elect an agent, voting by ballot, in person or by proxy, each share of stock entitling the holder to one vote, and the person who shall receive votes representing at least a majority of stock in value and number shall be declared the agent for the purposes hereinafter provided, and whenever any of the shareholders of the association shall, after the election of such agent, have executed and filed a bond to the satisfaction of the Comptroller of the Currency, conditioned for the payment and discharge in full of each and every claim that may thereafter be proved and allowed by and before a competent court, and for the faithful performance of all and singular the duties of such trust, the Comptroller and the receiver shall thereupon transfer and deliver to such agent all the undivided or uncollected or other assets of such association then remaining in the hands or subject to the order and control of said Comptroller and said receiver, or either of them; and for this purpose said Comptroller and said receiver are hereby severally empowered and directed to execute any deed, assignment, transfer, or other instrument in writing that may be necessary and proper, and upon the execution and delivery of such instrument to the said agent the said Comptroller and the said receiver shall by virtue of this act be discharged from any and all liabilities to such association, and to each and all the creditors and shareholders thereof. Upon receiving such deed, assignment, transfer, or other instrument, the person elected such agent shall hold, control, and dispose of the assets and property of such association which he may receive under the terms hereof, for the benefit of the shareholders of such association, and he may in his own name, or in the name of such association, sue and be sued, and do all other lawful acts and things necessary to finally settle and distribute the assets and property in his hands, and may sell, compromise, or compound the debts due to such association, with the consent and approval of the circuit or district court of the United States for the district where the business of such association was carried on, and shall at the conclusion of his trust render to such district or circuit court a full account of all his proceedings, receipts, and expenditures as such agent, which court shall, upon due notice, settle and adjust such accounts and discharge said agent and the sureties upon said bond. At such meeting, held as hereinbefore provided, administrators or executors of deceased shareholders may act and sign as the decedent might have done if living, and guardians of minors and trustees of other persons may so act and sign for their ward or wards or cestui que trust. The proceeds of the assets or property of any such association which may be undistributed at the time of such meeting or may be subsequently received shall be distributed as follows:

“First. To pay the expenses of the execution of the trust to the date of such payment.

“Second. To repay any amount or amounts which have been paid in by any shareholder or shareholders of such association upon and by reason of any and all assessments made upon the stock of such association by the order of the Comptroller of the Currency in accordance with the provisions of the statutes of the United States; and

“Third. The balance ratably among such stockholders in proportion to the number of shares held and owned by each. Such distribution shall be made, from time to time, as the proceeds shall be received and as shall be deemed advisable by the said Comptroller or said agent.”

Approved, August 3, 1892.