

February 27, 1897.

CHAP. 341.—An Act To remove doubts as to the power of the supreme court of the District of Columbia to provide for a vacancy in the office of attorney of the United States for the District of Columbia.

District of Columbia. Supreme court may temporarily appoint attorney in case of vacancy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case of a vacancy in the office of attorney of the United States for the District of Columbia, the supreme court of said District may fill the same, and the person appointed by said court shall serve until an appointment is made by the President, and the appointee is duly qualified, and no longer.

Approved, February 27, 1897.

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CHAP. 342.—An Act To authorize the extension of the lines of the Metropolitan Railroad Company, of the District of Columbia.

District of Columbia. Metropolitan Railroad Company to extend its lines.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Metropolitan Railroad Company be, and it is hereby, authorized and required within six months from the date of the approval of this Act to extend the lines of its underground electric railroad from the intersection of Connecticut and Florida avenues northward along Columbia road to a point on the west line of Eighteenth street extended: *Provided,* That the said company is hereby authorized to issue and sell such an amount of its capital stock as will, at the market value thereof, cover the cost of construction and equipment of the extension herein provided for.

Approved, February 27, 1897.

March 2, 1897.

CHAP. 353.—An Act To grant a right of way through the Fort Spokane Military Reservation, in the State of Washington, to the Saint Paul, Minneapolis and Manitoba Railway Company.

Saint Paul, Minneapolis and Manitoba Railway Company, granted right of way, Fort Spokane Reservation, Wash.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the Saint Paul, Minneapolis and Manitoba Railway Company a right of way, one hundred feet wide, on such route as the Secretary of War may designate, through the Fort Spokane Military Reservation, in the State of Washington. If said railroad shall not be built across said reservation within three years next after the passage of this Act this grant shall absolutely cease and determine.

Approved, March 2, 1897.

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CHAP. 354.—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, as amended by an Act approved August third, eighteen hundred and ninety-two.

National banks in receivers' hands. Vol. 19, p. 63.

Vol. 27, p. 345.

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, as amended by an Act approved August third, eighteen hundred and ninety-two, be, and hereby is, amended so as to read as follows:

Winding up business. R. S., secs. 5234, 5236, p. 1018.

"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 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.

Shareholders' meeting to decide if receiver or agent wind up affairs.

Settlement by receiver.

Election of agent.

Indemnity bond of shareholders.

Transfer of assets to agent.

Duty of agent.

Election of new agent in case of vacancy.

And in case any such agent so elected shall refuse to serve, or die, resign, or be removed, any shareholder may call a meeting of the shareholders of such association in the town, city, or village where the business of the said association was carried on, by giving notice thereof for thirty days in a newspaper published in said town, city, or village, or if no newspaper is there published, in the newspaper published nearest thereto, at which meeting the shareholders shall elect an agent, voting by ballot, in person or by proxy, each share of stock entitling the holder to one vote, and when such agent shall have received votes representing at least a majority of the stock in value and number of shares, and shall have executed a bond to the shareholders conditioned for the faithful performance of his duties, in the penalty fixed by the shareholders at said meeting, with two sureties, to be approved by a judge of a court of record, and file said bond in the office of the clerk of a court of record in the county where the business of said association was carried on, he shall have all the rights, powers, and duties of the agent first elected as hereinbefore provided. At any 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:

Votes of executors, etc.

Distribution of assets.

Expenses.

Repayment to shareholders assessed.

Balance.

"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, March 2, 1897.

March 2, 1897.

CHAP. 355.—An Act To establish an additional land office in the State of Montana.

Public lands.
Flathead district,
Montana, established.
Boundaries.

Vol. 26, p. 33.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that portion of the State of Montana bounded and described as follows: Beginning at a point on the national boundary line where the same would be intersected by the range line between ranges fourteen and fifteen west of the Montana principal meridian when projected (this line being the present boundary between the Helena and Missoula land districts); thence south on said range line between ranges fourteen and fifteen west to the southeast corner of township twenty-two north, range fifteen west; thence west on township line between townships twenty-one and twenty-two north to the southwest corner of township twenty-two north, range twenty-three west; thence north on range line between ranges twenty-three and twenty-four west to the sixth standard parallel north; thence west on said standard parallel to the southwest corner of township twenty-five north, range twenty-six west; thence north on range line between ranges twenty-six and twenty-seven west to northeast corner of township twenty-six north, range twenty-seven west; thence west on township line between townships twenty-six and twenty-seven north to the northeast corner of township twenty-six north, range thirty west; thence north on range line between ranges twenty-nine and thirty west to northeast corner of township twenty-seven north, range thirty west; thence west on township line between townships twenty-seven and