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Security.

Capital stock.  
Authorized amount  
of, increased.  
Vol. 16, p. 575, amend-  
ed.

Consent of stock-  
holders.

Rights, etc., of addi-  
tional shares.

Proviso.  
Voting power of  
shares.

Subject to interstate  
commerce laws.

Notice of action au-  
thorizing issue to be  
filed in Interior De-  
partment.

Company deemed  
citizen of Texas, for  
legal purposes.

Proviso.  
Restriction on re-  
moval of suits to Fed-  
eral courts.

prescribed by said Act of Congress approved May 2, 1872, and to secure said bonds, or any of them, by mortgage or other lien upon all or any portion of its franchises and property.

SEC. 2. That the capital stock of The Texas and Pacific Railway Company, heretofore fixed by its board of directors pursuant to the provisions of said Act of Congress approved March 3, 1871, at \$50,000,000, may be increased at any time, or from time to time, not to exceed in the aggregate \$75,000,000, by resolution of its board of directors duly adopted at a meeting thereof held in accordance with its by-laws and with the consent of the holders of a majority in amount of its then outstanding capital stock, expressed by vote in person or by proxy at a meeting of said stockholders called for the purpose upon such notice as its by-laws require for the calling of such special meeting.

Any additional share of capital stock so authorized shall be entitled to such rights, privileges, and priorities and preferences and be subject to such limitations and restrictions as may be determined by resolution of the board of directors with like consent of the holders of majority in amount of the then outstanding capital stock of The Texas and Pacific Railway Company: *Provided*, That each share of outstanding capital stock, preferred or common, shall be entitled to one vote at every stockholders' meeting, which may be voted in person or by written proxy.

SEC. 3. That all power and authority granted by this Act, or by any of the aforesaid Acts, shall be subject in its exercise to the provisions of the Interstate Commerce Act, or any Act amendatory thereof or supplemental thereto from time to time in force.

SEC. 4. That a copy of the resolution of the board of directors and of the stockholders, or of the proceedings at a stockholders' meeting, authorizing any such increase in capital stock, or the issuance of any such bonds, and of the order of the Interstate Commerce Commission or other governmental agency authorizing the same, certified by the secretary of The Texas and Pacific Railway Company, shall be filed and recorded in the Department of the Interior, and when so filed shall be sufficient evidence of the power and authority of The Texas and Pacific Railway Company to issue such additional stock or bonds.

SEC. 5. That The Texas and Pacific Railway Company, for the purposes of all actions at law by or against it, real, personal, or mixed, and all suits in equity, shall be deemed a citizen of the State of Texas and an inhabitant of the county of Dallas, in said State: *Provided*, That no civil suit in tort brought against said railway company in the State courts of Louisiana or Arkansas may be removed by said railway company to any court of the United States on account of diverse citizenship.

Approved, February 9, 1923.

February 9, 1923.

[S. J. Res. 12.]

[Pub. Res., No. 86.]

CHAP. 67.—Joint Resolution Authorizing the President to require the United States Sugar Equalization Board (Incorporated) to take over and dispose of thirteen thousand nine hundred and two tons of sugar imported from the Argentine Republic.

Sugar Equalization  
Board.

To take over and dis-  
pose of sugar imported  
from Argentina under  
Government direction.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President is authorized to require the United States Sugar Equalization Board (Incorporated) to take over from the corporation, American Trading Company, and the copartnership, B. H. Howell, Son and Company, a certain transaction entered into and carried on by said corporation and copartnership at the request, under direction and as agents of the Department of Justice and Department of State, which transaction

involved the purchase in the Argentine Republic, between the 13th day of May, 1920, and the 22d day of May, 1920, of thirteen thousand nine hundred and two tons of sugar, the importation thereof into the United States and the distribution of a portion of the same within the United States, and to require the said United States Sugar Equalization Board (Incorporated) to dispose of any of said sugar so imported remaining undisposed of, and to liquidate and adjust the entire transaction in such manner as may be deemed by said board to be equitable and proper in the premises, paying to the corporation and copartnership aforesaid such sums as may be found by said board to represent the actual loss sustained by them, or either of them, in said transaction, and for this purpose the President is authorized to vote or use the stock of the corporation held by him, or otherwise exercise or use his control over the said United States Sugar Equalization Board and its directors, and to continue the said corporation for such time as may be necessary to carry out the intention of this joint resolution.

Payment to American Trading Company and B. H. Howell, Son and Company of their actual loss.

Approved, February 9, 1923.

**CHAP. 68.**—Joint Resolution To provide for the payment of salaries of Senators appointed to fill vacancies, and for other purposes.

February 10, 1923.  
[S. J. Res. 248.]  
[Pub. Res., No. 87.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That salaries of Senators appointed to fill vacancies in the Senate shall commence on the day of their appointment and continue until their successors are elected and qualified; and salaries of Senators elected to fill vacancies in the Senate shall commence on the day they qualify: Provided, That where no appointments have been made to fill such vacancies, the salaries of Senators elected to fill such vacancies shall commence on the day following their election.*

Senators.  
Payment of salaries to, appointed or elected to fill vacancies

Proviso.  
Senators elected where no appointments made.

Approved, February 10, 1923.

**CHAP. 69.**—Joint Resolution Authorizing the President to abrogate the international agreement embodied in certain Executive orders relating to the Panama Canal.

February 12, 1923.  
[S. J. Res. 259.]  
[Pub. Res., No. 88.]

Whereas it is provided in the Act entitled "An Act to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone," approved August 24, 1912, "that all laws, orders, regulations, and ordinances adopted and promulgated in the Canal Zone by order of the President for the government and sanitation of the Canal Zone and the construction of the Panama Canal are hereby ratified and confirmed as valid and binding until Congress shall otherwise provide"; and

Panama Canal.  
Preamble.  
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Whereas among the orders so ratified and confirmed as valid and binding are Executive orders, issued by the Secretary of War, by direction of the President, on December 3, December 6, and December 28, 1904, January 7, 1905, and January 5, 1911, in which were embodied the terms of an agreement reached between the Secretary of War and officials of the Panama Government to serve as a *modus operandi* during the construction of the canal; and

Whereas the purpose of the agreement in question has passed with the formal opening of the canal, and the agreement no longer provides an adequate basis for the adjustment of questions arising