

June 30, 1864.

CHAP. CLXXXV.— *An Act authorizing the Issue of Patents for Locations made with Certificates granted under Authority of the Act of Congress, approved March seventeenth, eighteen hundred and sixty-two, allowing Floats in Satisfaction of Lands sold by the United States within the Limits of the Las Ormezas and La Nana Grants in Louisiana.*

Patents may issue for certain locations.

1862, ch. 46.  
Vol. xii. p. 371.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in the case of all locations made with certificates issued under the act of congress approved seventeenth March, eighteen hundred and sixty-two, "authorizing floats to issue in satisfaction of claims against the United States for lands sold by them within the Las Ormezas and La Nana grants, in the State of Louisiana," it shall and may be lawful for the commissioner of the general land-office to cause patents to issue for such locations, where the same may be found bona fide and satisfactory to the said commissioner.

APPROVED, June 30, 1864.

July 1, 1864.

CHAP. CLXXXIX.— *An Act to facilitate Trade on the Red River of the North.*

Places for loading and unloading cargoes on the Red River of the North to be designated by the President.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he is hereby, authorized to designate and establish such points or places upon the Red River of the North as to him shall seem expedient for lading and unlading the cargoes of vessels navigating the said river.

APPROVED, July 1, 1864.

July 1, 1864.

CHAP. CXC.— *An Act to incorporate the "Metropolitan Railroad Company" in the District of Columbia.*

1865, ch. 119.  
Post, p. 536.

Metropolitan Railroad Company incorporated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Alexander R. Shepherd, Richard Wallach, Lewis Clephane, Samuel P. Brown, Nathaniel Wilson, Franklin Tenney, Matthew G. Emery, Samuel Fowler, John Little, J. C. McKelden, Sayles J. Bowen, John H. Semmes, D. C. Forney, William W. Rapley, William G. Moore, Thomas Lewis, John B. Keasbey, and Charles H. Nichols, and their associates and assigns, be, and they are hereby, created a body corporate, under the name of the "Metropolitan Railroad Company," with authority to construct and lay down a 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 and streets: Commencing at the junction of A street north and New Jersey avenue, at the north side of the capitol; along the east side of New Jersey avenue to D street north; along D street north, and along C street north and Indiana avenue to the intersection of D street north with Indiana avenue; along Indiana avenue, D street north, and Louisiana avenue to Fifth street west; along Fifth street west to F street north; along F street north to Fourteenth street west; along Fourteenth street west to I street north; along I street north, across Pennsylvania avenue, to the junction of New Hampshire avenue, and Twenty-third street west; thence along New Hampshire avenue to the Circle. Also, a double or single track branch railway, commencing at the intersection of D street north and New Jersey avenue; along New Jersey avenue to Massachusetts avenue; along Massachusetts avenue to H street north; and along H street north to Seventeenth street west, intersecting the double-track road. Also, a double or single track road from the intersection of Fifteenth street west and I street north, connecting with the double-track road at Fifteenth street west; along I street north to New York avenue; along New York avenue to Ninth street west; and along Ninth street west to the Washington canal; with the privilege of extending the said branch road at any time along

Route of road.

Ninth street west to M street north, along M street north to Twelfth street west, and along Twelfth street west to the Washington canal and Maryland avenue to the Potomac River, with the right to run public carriages thereon drawn by horse power, receiving therefor a rate of fare not exceeding five cents a passenger, for any distance between the termini of either of the said main railway, or between the termini of either of said branch railways, or between either terminus of said main railway and the terminus of either of said branch railways: *Provided*, That the use and maintenance of the said road shall be subject to the municipal regulations of the city of Washington within its corporate limits.

Motive power.

Proviso.

SEC. 2. *And be it further enacted*, That said road[s] shall be deemed real estate, and they, together with other real property 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 cities aforesaid, except as hereinafter provided; and that all other corporations in the District of Columbia, heretofore organized for like purposes, shall be subject to pay license as provided in this section.

Roads to be real estate, and liable to taxation.

SEC. 3. *And be it further enacted*, That the said railway shall be laid in the centre of the avenues and streets (excepting New Jersey avenue, and 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, in the most approved manner adapted for street railways, with rails of the most approved patterns, to be determined by the Secretary of the Interior, laid upon an even surface with the pavement of the streets; and the space between the two tracks 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 Baltimore and Ohio railroad.

Track to be in centre of street.

SEC. 4. *And be it further enacted*, That the said corporation hereby created 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, at all times well paved and in good order, without expense to the United States or to the city of Washington.

Corporation to keep tracks and portion of street in repair.

SEC. 5. *And be it further enacted*, That nothing in this act shall prevent the government at any time, at their option, from altering the grade or otherwise improving all avenues and streets occupied by said roads, 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 railroad so as to conform to such grade and pavement.

Grade of streets may be altered.

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.

Act may be altered, &c.

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.

Corporation not to issue note as currency.

SEC. 8. *And be it further enacted*, That the capital stock of said company shall be not less than two, nor more than five, 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.

Capital stock.

Shares.

SEC. 9. *And be it further enacted*, That the said company shall place first-class cars on said railways, with all the modern improvements for the convenience and comfort of passengers, and shall run cars thereon during the day as often as every four minutes on the route from the capitol, via the Baltimore and Ohio railroad depot and departments, to the Circle; and on the other routes once in fifteen minutes each way, and until twelve o'clock at night as often as every half hour; and throughout day and night as much oftener as public convenience may require.

Cars.

SEC. 10. *And be it further enacted*, That said company shall procure

Passenger-rooms, offices, &c.

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 the 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.

Articles of value left in cars to be cared for.

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.

Books of subscription to be opened.

SEC. 12. *And be it further enacted*, That within five 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 till five o'clock in the afternoon, for a period to be fixed by said corporators, not less than two days, unless the whole stock shall be sooner subscribed for, 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

Subscribers to be stockholders.

books to the capital stock of the company shall be held to be stockholders: *Provided*, 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: *Provided, further*, That nothing shall be received in payment of the twenty-five per centum at the time of subscribing except money: *Provided, further*, That no person shall be allowed to subscribe for more than fifteen thousand dollars. 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 twenty 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 personal notice to each stockholder by the clerk of the corporation. And in all meetings of the stockholders each share shall entitle the holder to one vote, to be given in person or by proxy.

First meeting.

Directors.

SEC. 13. *And be it further enacted*, That the government and direction of the affairs of the company shall be vested in the board of directors, seven in number, who shall be stockholders, and who shall hold their office for one year, and till 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.

Quorum.

Treasurer.

Vacancies.

By-laws.

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, touching 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 of Washington: *Provided*, That there shall be no regulation excluding any person from any car on account of color.

SEC. 15. *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 the stockholders.

Annual meeting.

SEC. 16. *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 on or over said railway, or any part thereof, or shall injure or destroy the cars, depot stations, or any property belonging to said railway company, the person or persons so offending shall forfeit and pay for every such offence the sum of five dollars to said company, to be recovered and disposed of as other fines and penalties in said cities; 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.

Company to have free use of roadway.  
Penalty for obstructing cars.

SEC. 17. *And be it further enacted*, That unless said corporation shall make and complete their said railways between the capitol and Seventeenth street west within four months after the company shall have been organized, and the railways on the other routes herein described within one year after the company shall have been organized, then this act shall be null and void, and no rights whatsoever shall be acquired under it.

Road to be completed within what time.

[Time extended. Post, p. 426.]

SEC. 18. *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.

Repealing clause.

SEC. 19. *And be it further enacted*, That each of the stockholders in the Metropolitan Railroad Company shall be individually liable for all the debts and liabilities of said company to an amount equal to the amount of stock held by such stockholder.

Individual liability of stockholders.

SEC. 20. *And be it further enacted*, That the said railroad company shall keep in good repair and in clean condition the flagstones or crosswalks leading to, upon, and over their tracks at the crossings of the several streets which intersect their railroad, removing therefrom snow and ice, as well as mud, dirt, or other annoyance; and shall further, whenever necessary to render such crossings dry and convenient, raise or elevate the same sufficiently for that purpose; and shall adjust the adjoining pavement, so as to make it convenient for carriages to pass said crossings.

Flagstones and cross walks to be kept clean.

SEC. 21. *And be it further enacted*, That for each and every violation of the foregoing provisions, the said company shall forfeit and pay a sum not less than five dollars, and not more than one hundred dollars, which may be recovered with costs of suit, on complaint of any person aggrieved, in any court of competent jurisdiction in the District of Columbia. Such action may be prosecuted in the name of the city of Washington, and one half of the penalties recovered shall be for the use of the city of Washington, and the other half for the use of the complainant: *Provided, however*, That any party complainant shall, before such action, file with the clerk of the supreme court of the District of Columbia, a bond to be approved by the clerk of the said court, with at least one surety, to be approved by said clerk, and in a penalty of one hundred dollars, conditioned that the complainant shall well and truly save harmless and indemnify the said city against the payment of all costs and charges which shall be recovered against said city by reason of the failure of the complainant to prosecute or maintain his said complaint.

Penalty for not keeping crosswalks, &c., clean.

Proviso.

SEC. 22. *And be it further enacted*, That the said railroad company

- Annual report to congress. shall, by the fifteenth day of January, after the completion of said road, and annually on or before that day thereafter, transmit to congress a full report of the affairs, business, and condition of the said company for the year terminating December thirty-one preceding such report, and such report shall be signed and sworn to by the president and treasurer of the company, or by a majority of the directors, and shall specify the following items:—
- Contents of report.
- First. Capital stock fixed by charter.
  - Second. Capital stock subscribed and actually paid in, in cash.
  - Third. Dividends made to stockholders on the capital stock of the company, and when made.
  - Fourth. Total capital stock at the termination of the previous year.
  - Fifth. Funded debt of the company, and in what way secured.
  - Sixth. Floating debt of the company.
  - Seventh. Total indebtedness of company exclusive of capital.
- Cost of road;
- Cost of Road:
- Eighth. Total cost of rails, chains, spikes, and other iron used in construction.
  - Ninth. Total cost of ties, stringers, and other wood or timber used in construction.
  - Tenth. Cost of paving-stone, gravel, and other material used in construction, not above enumerated.
  - Eleventh. Cost of labor in the construction of the road.
  - Twelfth. Cost of engineering and salaries paid to officers and agents of the company, and discount or interest paid on loans.
  - Thirteenth. Amount expended in repairs of road.
- of equipment.
- Cost of Equipment:
- Fourteenth. Number and cost of cars.
  - Fifteenth. Number of horses or mules used in the service of the road, and cost.
  - Sixteenth. Cost of harnesses and other appointments.
  - Seventeenth. Cost of tools and fixtures, including furniture of offices.
  - Eighteenth. Cost of real estate and improvements thereon by the company.
- Characteristics.
- Characteristics:
- Nineteenth. Total length of road, measured as single track, including switches and turnouts.
  - Twentieth. Weight and character of rail.
  - Twenty-first. Number of passengers carried during the year.
  - Twenty-second. Average number of passengers per trip.
- Income.
- Income of Road:
- Twenty-third. Total receipts from passengers.
  - Twenty-fourth. Total receipts from other sources, and what sources.
- Expenses of Operation and Maintenance of Road:
- Twenty-fifth. Amount of salaries paid to officers of the company.
  - Twenty-sixth. Amount paid to employees, with the number each of clerks, conductors, drivers, station-keepers, and laborers.
  - Twenty-seventh. Amount paid for taxes of all kinds, and insurance.
  - Twenty-eighth. Amount paid for reconstruction of, and repairs to, track, turnouts, and other structures.
- Miscellaneous.
- Miscellaneous:
- Twenty-ninth. Amount of dividends paid during the preceding year, in cash, and dividends in stock to stockholders, and per centage of each.
  - Thirtieth. Increase of capital stock, if any, during the year.
  - Thirty-first. Number of persons killed, or seriously injured, on the road during the previous year, and the causes thereof.
- SEC. 23. *And be it further enacted,* That it shall be the duty of said company, when said road is completed, to have prepared tickets for pass-

age on their cars, and to keep them at their office for sale by the package of twenty-five, or over, at the rate of twenty-five for the dollar.

Package tickets.

APPROVED, July 1, 1864.

CHAP. CXCI. — *An Act to incorporate the Potomac Ferry Company.*

July 1, 1864.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Henry D. Cooke, John B. Hutchinson, H. C. Fahnestock, Thomas Clyde, and William B. Hatch, and their associates and successors, or a majority of them, are hereby created and constituted a body politic and corporate by the name and style of the Potomac Ferry Company.

Potomac ferry company incorporated.

SEC. 2. *And be it further enacted,* That the capital stock of said company shall not be less than one hundred thousand dollars, nor more than five hundred thousand dollars, to be divided into shares of one hundred dollars each.

Capital stock and shares.

SEC. 3. *And be it further enacted,* That said company is authorized and empowered to establish and run a line or lines of vessels, propelled by steam or other power, between the cities of Alexandria and Washington, and other ports in the State of Virginia, on the Potomac River, Chesapeake Bay, or the tributaries of the same.

Line of vessels between Washington and Alexandria.

SEC. 4. *And be it further enacted,* That said company is also authorized to purchase, hold, and grant such real estate as may be necessary to carry into effect the purposes of this act, and to build all necessary docks, wharves, and buildings thereon for their own use; may transport passengers and freight of every description, subject to the rules and regulations and laws of the United States; may sue and be sued; may have a common seal, and generally may have and possess the rights and privileges usually possessed by similar corporations.

Powers and privileges.

SEC. 5. *And be it further enacted,* That the affairs of said company shall be managed by such officers as the stockholders in general meeting shall elect, and such agents as may be appointed by the board of directors. The persons named in the first section of this act, or a majority of them, may call a meeting of the stockholders for the purpose of organizing said company, at such time and place as they may determine upon, after advertising the time and place of such meeting for ten days, in one or more newspapers published in the city of Washington. The officers of said company once elected shall hold their offices until their successors are chosen.

Directors and officers.

First meeting.

SEC. 6. *And be it further enacted,* That the said board of directors may make all necessary rules and by-laws for the transfer of the stock and the general management of the business of said company; and each stockholder in said company shall be individually liable for all claims against the same at the time such claims accrue.

By-laws.

SEC. 7. *And be it further enacted,* That this act shall be enforced from the passage thereof.

Act, when to be in force.

SEC. 8. *And be it further enacted,* That congress may at any time hereafter alter, amend, or repeal this act.

Act may be altered or repealed.

APPROVED, July 1, 1864.

CHAP. CXCII. — *An Act authorizing the Levy Court of Washington County, in the District of Columbia, to levy and collect its Portion of the Direct Tax imposed by the Act of Congress of August five, eighteen hundred and sixty-one.*

July 1, 1864.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the levy court of Washington County, in the District of Columbia, is hereby authorized and empowered to levy and collect, in the same manner as other county taxes in said county of Washington are levied and collected, a sum sufficient to

Levy court may levy and collect the direct tax.