

SEC. 8. That each stockholder of said company shall be individually liable for all debts and liabilities of said company to an amount equal to the amount of stock held by said stockholder, and no further.

Stockholders individually liable only to the amount of their stock.

SEC. 9. That there shall be an annual meeting of the stockholders for choice of directors, to be holden at such time and place and 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 and report.

SEC. 10. That within thirty days after the approval of this act, the incorporators named in the first section of this act, 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 place in the city of Washington, from nine o'clock in the forenoon until three o'clock in the afternoon, for a period to be fixed by said incorporators, not less than three days, unless the whole stock shall sooner be subscribed; and subscribers upon said books to the capital stock of said company shall be held to be stockholders: *Provided*, That every subscriber shall pay at the time of subscribing ten per centum of the amount by him subscribed to the treasurer appointed by the incorporators. And when the books of subscription to the capital stock of the said company shall be closed, the incorporators named in the first section, or a majority of them, or in case any of them refuse or neglect, then a majority of the remainder, shall, within thirty days thereafter, call a first meeting of the stockholders of said company to meet within twenty days thereafter for the choice of directors, and in all meetings of the stockholders each share shall entitle the holder to one vote, to be given in person or by proxy.

Books of subscription to stock to be opened.

Payment of ten per cent of stock.

First meeting of stockholders. Votes. Proxy.

APPROVED, January 21, 1873.

CHAP. XLVI. — *An Act to authorize the Washington City and Point Lookout Railroad Company to extend a Railroad into and within the District of Columbia.* Jan. 22, 1873.

Whereas it is represented to this present Congress that the Washington City and Point Lookout Railroad Company, organized on the twenty-fourth day of February, eighteen hundred and seventy-two, under the provisions of an act of the general assembly of the State of Maryland entitled "An act to provide for the creation and regulation of incorporated companies in the State of Maryland," approved April fourth, eighteen hundred and seventy, desire to extend their railroad into and within the District of Columbia: Therefore,

Preamble.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Washington City and Point Lookout Railroad Company shall be, and they are hereby, authorized and empowered to extend their railroad into and within the District of Columbia, to a point on the Eastern Branch of the Potomac river between the Potomac river and the point where the Baltimore and Potomac railroad crosses the said Eastern Branch; and a branch from the main stem of said railroad to a point at or near the southern terminus of the southeastern boundary line between the District of Columbia and the State of Maryland; and the said Washington City and Point Lookout Railroad Company are hereby authorized to exercise the same powers, rights, and privileges, and be subject to the same restrictions in the extension and construction of their said railroad into and within the said District as they may exercise or are subject to under the said act of the general assembly of Maryland, approved April fourth, eighteen hundred and seventy, in the construction and operation of their railroad within the State of Maryland; and shall be entitled to the same rights, compensation, benefits, and immunities in the use of said road, and in regard thereto, as are provided in said act of the general assembly of Maryland, it being expressly understood that the said Washington City and Point

Washington City, &c. Railroad Company may extend its road into the District of Columbia.

Branch.

Powers, &c., of the corporation in the District.

Limitation.

Lookout Railroad Company shall have power to construct only one railroad within the said District, and also the said branch road.

Right of way and materials for construction of road may be obtained by assent of owner.

SEC. 2. That before the Washington City and Point Lookout Railroad Company aforesaid shall proceed to construct any railroad which they may lay out or locate on, through, or over any land or improvements, or to use, or take for use any earth, stone, or other materials necessary for the construction of said road, on any land within the said District, they shall first obtain the assent of the owner of said land, improvements, or materials, or if such owner shall be absent from said District, or shall refuse to give such assent on such terms as the said company shall approve, or because of infancy, coverture, insanity, or any other cause, shall be legally incapable of giving such assent, then it shall be

Proceedings where owners of the land do not assent, or are absent from the District.

lawful for the said company to apply to a judge of the supreme court of the District of Columbia, who shall thereupon issue his warrant, under his hand and seal, directed to the marshal of the said District, requiring him to summon a jury of twenty citizens of the said District, none of whom shall be interested, or related to any person interested in the land or materials required for the construction of the said railroad, or a stockholder, or related to any stockholder in the said company, to meet on the land, or near to the other property or materials so required, on a day named in such warrant, not less than ten nor more than twenty days after issuing the same, to proceed to value the damages which the owner or owners of any such land or other property will sustain by the use or occupation of the same required by the said company; and the proceedings, duty, and authority of the said marshal in regard to such warrant and jury, and the oath or affirmation to be administered, and inquisition to be made and returned, shall be the same as are directed and authorized in regard to the sheriff, by the tenth section of the said act of the general assembly of Maryland, approved April fourth, eighteen hundred and seventy, and all other proceedings in regard to such jury, and the estimation and valuation of damages, and the payment, or tender of payment of any damages, ascertained by such valuation and effect thereof, and of the view of any lands, or other property or materials, as to giving the said company a right to use the same for the use or construction of their railroad within the said District, as hereby authorized, shall, in every case and every respect, be the same as is provided in and by the before-mentioned act of the general assembly of the State of Maryland, in regard to any railroad to be constructed by the Washington City and Point Lookout Railroad Company, in the State of Maryland: *Provided*, That whenever, by the said act, the inquisition of the jury is required to be returned to the clerk of the circuit court, to be confirmed by said court at its next session, if not sufficient cause to the contrary be shown, the inquisition or inquisitions under this act shall be returned by the marshal to the supreme court of the District of Columbia, which court shall have the same jurisdiction and powers over the subject-matter as the said circuit court have under the act of the general assembly of Maryland aforesaid.

to be returned to what court.

Right of appeal by either party.

SEC. 3. That in all cases where a condemnation and valuation of lands or materials shall have been made under section two of this act, either party may appeal to the supreme court of the District of Columbia within thirty days from the rendition of the verdict of the jury; and in all cases where the said company shall take an appeal they shall give bond to the party or parties claiming and entitled to damages in a penalty at least double the sum found by the jury, with a condition that the said company shall pay, or cause to be paid, such amount of damages and costs as the party or parties may be entitled to receive on the judgment of the said supreme court, without delay, and on which bond ample and sufficient sureties shall be given, to be approved by the said supreme court.

Company appealing to give bond.

SEC. 4. That whenever the said company, in the construction of their railroad within the said District, as authorized by this act, shall find it necessary to cross or intersect any established road, street, or other way, it shall be the duty of said company so to construct the said railroad across such established road, street, or other way, as not to impede the passage or transportation of persons or property along the same; and where it shall be necessary to pass the said railroad through the land of any individual within the said District, it shall be the duty of said company to provide for such individual wagon-ways across the said railroad as may be necessary and proper, from one part of his land to another; but nothing herein contained shall be so construed as to authorize the said company to enter upon any lot or square, or part thereof, owned by the United States, within the limits of the cities of Washington or Georgetown, for the purpose of locating or constructing the said railroad, or for the purpose of excavating the same, or taking therefrom any materials, or for any other purposes and uses whatsoever; but the said company, in passing into said cities of Washington or Georgetown, shall pass along or through or across such street or streets or alleys as may be hereafter allowed by the Congress of the United States, upon presentation of survey and map of proposed location of said road; and the said Washington City and Point Lookout Railroad Company may connect within said District with any railroad or canal company chartered, or hereafter to be chartered, by such route or routes within said District as may be hereafter determined by Congress, and upon such terms as may be agreed upon by the said companies respectively, or as may be prescribed by Congress.

Crossing, &c., of streets, &c., by the railroad.

Wagon-ways for individuals.

No lot owned by the United States, within, &c., to be taken.

Route of road in Washington and Georgetown.

Company may connect with other railroad, &c., company.

SEC. 5. That the said Washington City and Point Lookout Railroad Company may charge and receive for tolls and transportation on all that part of said road within the District of Columbia, a rate not to exceed five cents per ton per mile; and the said company may charge and receive for taking up and setting down any passenger or traveller within said District conveyed a shorter distance than four miles a sum not exceeding twelve cents; and Congress reserves the power to further regulate the cost of transportation of persons and freight over said road within said District.

Charges for tolls and transportation;

may be regulated by Congress.

SEC. 6. And the said company are also hereby authorized and empowered to make such special contract with any duly authorized officer or agent of the United States for the conveyance of the mail or the transportation of persons or property for the use of the United States on any railroad which shall be constructed by the said company, on such terms as shall be approved of by the competent officer or authority, and to receive such compensation so agreed for according to the terms of such contract.

Conveyance of the mail, and service for the United States.

SEC. 7. That unless the said company shall commence the construction of said road within two years, and complete the same, with at least one set of tracks, within four years from the passage of this act, then this act and all rights and privileges hereby granted shall cease and determine. And the Congress of the United States shall have authority at any time hereafter to grant similar privileges as are herein granted to any other company incorporated or to be incorporated by the State of Maryland, or by Congress, or to enact such rules and regulations prescribing the speed of cars passing over said road, and any other matters relating thereto, necessary for the security of the persons and property of the inhabitants of the District of Columbia, in such manner as the present or any future Congress may deem expedient: *Provided*, That Congress shall have power to alter, amend, or repeal this act.

Road when to be commenced and completed.

Similar privileges to other companies.

Act may be altered.

APPROVED, January 22, 1873.