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in District of Columbia.

een hundred and seventy-nine, and on all special assessments due the District of Columbia, shall be six per centum per annum in lieu of the rate and penalties now fixed by law, *Provided*, This act shall only apply to taxes and assessments paid on or before the first day of November, eighteen hundred and eighty-two.

Proviso.

Approved, July 12, 1882.

July 12, 1882.

CHAP. 289.—An act to more effectually punish house-breaking in the District of Columbia, and for other purposes.

Punishment for house-breaking, etc., in District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person, his aiders, abettors, and counselors, who shall either in the night or day, break and enter, or who shall in the night-time enter without breaking into any dwelling-house, bank, store, warehouse, shop, stable, or other building or any vessel, canal-boat, or other water craft, or any railroad car, in the District of Columbia, with intent to commit any larceny or other felony or misdemeanor therein, shall be imprisoned not more than ten years.

SEC. 2. That every person who shall enter any dwelling-house, bank, store, warehouse, shop, stable, or other building or any vessel, canal-boat, or other water craft, or any railroad car, or any yard where lumber, coal, or any sort of goods and chattels are deposited and kept for the purpose of trade in the District of Columbia, with the intent maliciously to injure or destroy any of the buildings, vessels, boats, or cars, aforesaid, or any part thereof, or any property or effects deposited or kept therein, or any property or effects deposited or kept in or upon any such yard or with intent to slay, kill, maim, or assault any person being in or upon any of the premises aforesaid, upon conviction thereof, shall be imprisoned not more than fifteen years.

Imprisonment.

This act shall not affect any offense committed or indictment found before its passage

Approved, July 12, 1882.

July 12, 1882.

CHAP. 290.—An act to enable national-banking associations to extend their corporate existence, and for other purposes.

National banking associations authorized to extend corporate existence.
12 Stat., 665.
13 Stat., 99.
21 Stat., 66.
R. S. 5133, 992.
R. S. 5134, 992.
R. S. 5135, 992.
R. S. 5136, 993.
R. S. 5154, 996.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any national banking association organized under the acts of February twenty-fifth, eighteen hundred and sixty-three, June third eighteen hundred and sixty-four, and February fourteenth, eighteen hundred and eighty, or under sections fifty-one hundred and thirty-three, fifty-one hundred and thirty-four, fifty-one hundred and thirty-five, fifty-one hundred and thirty-six, and fifty-one hundred and fifty four of the Revised Statutes of the United States, may, at any time within the two years next previous to the date of the expiration of its corporate existence under present law, and with the approval of the Comptroller of the Currency, to be granted, as hereinafter provided, extend its period of succession by amending its articles of association for a term of not more than twenty years from the expiration of the period of succession named in said articles of association, and shall have succession for such extended period, unless sooner dissolved by the act of shareholders owning two-thirds of its stock, or unless its franchise becomes forfeited by some violation of law, or unless hereafter modified or repealed.

Term of succession.

Forfeiture of franchise.

Consent in writing of two-thirds of shareholders to amendment of articles of association.

SEC 2.—That such amendment of said articles of association shall be authorized by the consent in writing of shareholders owning not less than two-thirds of the capital stock of the association; and the board of directors shall cause such consent to be certified under the seal of the association, by its president or cashier, to the Comptroller of the Cur-

rency, accompanied by an application made by the president or cashier for the approval of the amended articles of association by the Comptroller; and such amended articles of association shall not be valid until the Comptroller shall give to such association a certificate under his hand and seal that the association has complied with all the provisions required to be complied with, and is authorized to have succession for the extended period named in the amended articles of association.

Certified under seal to Comptroller of Currency for approval.

SEC. 3.—That upon the receipt of the application and certificate of the association provided for in the preceding section, the Comptroller of the Currency shall cause a special examination to be made, at the expense of the association, to determine its condition; and if after such examination or otherwise it appears to him that said association is in a satisfactory condition, he shall grant his certificate of approval provided for in the preceding section, or if it appears that the condition of said association is not satisfactory, he shall withhold such certificate of approval.

Comptroller to make special examination of associations, and issue certificate.

SEC. 4.—That any association so extending the period of its succession shall continue to enjoy all the rights and privileges and immunities granted and shall continue to be subject to all the duties, liabilities, and restrictions imposed by the Revised Statutes of the United States and other acts having reference to national banking associations, and it shall continue to be in all respects the identical association it was before the extension of its period of succession: *Provided, however*, That the jurisdiction for suits hereafter brought by or against any association established under any law providing for national-banking associations, except suits between them and the United States, or its officers and agents, shall be the same as, and not other than, the jurisdiction for suits by or against banks not organized under any law of the United States which do or might do banking business where such national-banking associations may be doing business when such suits may be begun: And all laws and parts of laws of the United States inconsistent with this proviso be, and the same are hereby, repealed.

All rights, privileges, etc., of banking associations preserved.

Proviso.
Jurisdiction for suits.

SEC. 5.—That when any national-banking association has amended its articles of association as provided in this act, and the Comptroller has granted his certificate of approval, any shareholder not assenting to such amendment may give notice in writing to the directors, within thirty days from the date of the certificate of approval, of his desire to withdraw from said association, in which case he shall be entitled to receive from said banking association the value of the shares so held by him, to be ascertained by an appraisal made by a committee of three persons, one to be selected by such shareholder, one by the directors, and the third by the first two; and in case the value so fixed shall not be satisfactory to any such shareholder, he may appeal to the Comptroller of the Currency, who shall cause a reappraisal to be made, which shall be final and binding; and if said reappraisal shall exceed the value fixed by said committee, the bank shall pay the expenses of said reappraisal, and otherwise the appellant shall pay said expenses; and the value so ascertained and determined shall be deemed to be a debt due, and be forthwith paid, to said shareholder from said bank; and the shares so surrendered and appraised shall, after due notice, be sold at public sale, within thirty days after the final appraisal provided in this section: *Provided*, That in the organization of any banking association intended to replace any existing banking association, and retaining the name thereof, the holders of stock in the expiring association shall be entitled to preference in the allotment of the shares of the new association in proportion to the number of shares held by them respectively in the expiring association.

Shareholder not consenting to amendment of articles of association may withdraw.

Conditions of withdrawal.

Proviso.

SEC. 6.—That the circulating notes of any association so extending the period of its succession which shall have been issued to it prior to such extension shall be redeemed at the Treasury of the United States, as provided in section three of the act of June twentieth, eighteen hundred and seventy-four, entitled "An act fixing the amount of United States notes, providing for redistribution of national-bank currency,

Redemption and destruction of certain circulating notes.
18 Stat., 123.

and for other purposes," and such notes when redeemed shall be forwarded to the Comptroller of the Currency, and destroyed as now provided by law; and at the end of three years from the date of the extension of the corporate existence of each bank the association so extended shall deposit lawful money with the Treasurer of the United States sufficient to redeem the remainder of the circulation which was outstanding at the date of its extension, as provided in sections fifty-two hundred and twenty-two, fifty-two hundred and twenty-four, and fifty-two hundred and twenty five of the Revised Statutes; and any gain that may arise from the failure to present such circulating notes for redemption shall inure to the benefit of the United States; and from time to time, as such notes are redeemed or lawful money deposited therefor as provided herein, new circulating notes shall be issued as provided by this act, bearing such devices, to be approved by the Secretary of the Treasury, as shall make them readily distinguishable from the circulating notes heretofore issued: *Provided however*, That each banking association which shall obtain the benefit of this act shall reimburse to the Treasury the cost of preparing the plate or plates for such new circulating notes as shall be issued to it.

Deposit of lawful money with Treasurer U. S., for redemption of circulating notes, etc.
R. S. 5222, 1010.
R. S. 5224, 1010.
R. S. 5225, 1010.
Gains from failure to present notes for redemption to inure to benefit of U. S.
New notes to be issued distinguishable from the old.
Cost of plates for notes reimbursed to Treasury by banking associations.
Proviso.

SEC. 7. That national-banking associations whose corporate existence has expired or shall hereafter expire, and which do not avail themselves of the provisions of this act, shall be required to comply with the provisions of sections fifty-two hundred and twenty one and fifty-two hundred and twenty-two of the Revised Statutes in the same manner as if the shareholders had voted to go into liquidation, as provided in section fifty-two hundred and twenty of the Revised Statutes; and the provisions of sections fifty-two hundred and twenty-four and fifty-two hundred and twenty-five of the Revised Statutes shall also be applicable to such associations, except as modified by this act; and the franchise of such association is hereby extended for the sole purpose of liquidating their affairs until such affairs are finally closed.

Closing of banking associations not accepting provisions of this act.
R. S. 5221, 1010.
R. S. 5222, 1010.
R. S. 5220, 1010.
R. S. 5224, 1010.
R. S. 5225, 1010.

SEC. 8. That national banks now organized or hereafter organized, having a capital of one hundred and fifty thousand dollars, or less, shall not be required to keep on deposit or deposit with the Treasurer of the United States United States bonds in excess of one-fourth of their capital stock as security for their circulating notes; but such banks shall keep on deposit or deposit with the Treasurer of the United States the amount of bonds as herein required. And such of those banks having on deposit bonds in excess of that amount are authorized to reduce their circulation by the deposit of lawful money as provided by law; *provided* That the amount of such circulating notes shall not in any case exceed ninety per centum of the par value of the bonds deposited as herein provided: *Provided further*, That the national banks which shall hereafter make deposits of lawful money for the retirement in full of their circulation shall at the time of their deposit be assessed for the cost of transporting and redeeming their notes then outstanding, a sum equal to the average cost of the redemption of national-bank notes during the preceding year, and shall thereupon pay such assessment. And all national banks which have heretofore made or shall hereafter make deposits of lawful money for the reduction of their circulation shall be assessed and shall pay an assessment in the manner specified in section three of the act approved June twentieth, eighteen hundred and seventy-four, for the cost of transporting and redeeming their notes redeemed from such deposits subsequently to June thirtieth, eighteen hundred and eighty-one.

Bonds for security of circulation not to exceed one-fourth of capital stock; banks with bonds deposited in excess to reduce circulation.

Circulation in no case to exceed ninety per centum of par value of bonds deposited.
Provisos.

Assessments for transportation and redemption of circulation outstanding.
18 Stat., 123.

SEC. 9. That any national banking association now organized, or hereafter organized, desiring to withdraw its circulating notes, upon a deposit of lawful money with the Treasurer of the United States, as provided in section four of the act of June twentieth, eighteen hundred and seventy-four, entitled "An act fixing the amount of United States notes, providing for a redistribution of national-bank currency, and for other purposes," or as provided in this act, is authorized to deposit lawful

18 Stat., 123.

Withdrawal of circulation and deposit of lawful

money and withdraw a proportionate amount of the bonds held as security for its circulating notes in the order of such deposits; and no national bank which makes any deposit of lawful money in order to withdraw its circulating notes shall be entitled to receive any increase of its circulation for the period of six months from the time it made such deposit of lawful money for the purpose aforesaid: *Provided*, That not more than three millions of dollars of lawful money shall be deposited during any calendar month for this purpose: *And provided further*, That the provisions of this section shall not apply to bonds called for redemption by the Secretary of the Treasury, nor to the withdrawal of circulating notes in consequence thereof.

money therefor in the order of deposit.

Increase of circulation, when.

Limit to deposit of lawful money in any one month.

Provisos.

Bonds called for redemption exempt from provisions of this act.

R. S. 5159, 997.

R. S. 5160, 997.

18 Stat., 123.

SEC. 10. That upon a deposit of bonds as described by sections fifty-one hundred and fifty-nine and fifty-one hundred and sixty, except as modified by section four of an act entitled "An act fixing the amount of United States notes, providing for a redistribution of the national-bank currency, and for other purposes," approved June twentieth, eighteen hundred and seventy-four, and as modified by section eight, of this act, the association making the same shall be entitled to receive from the Comptroller of the Currency circulating notes of different denominations, in blank, registered and countersigned as provided by law, equal in amount to ninety per centum of the current market value, not exceeding par, of the United States bonds so transferred and delivered, and at no time shall the total amount of such notes issued to any such association exceed ninety per centum of the amount at such time actually paid in of its capital stock; and the provisions of sections fifty-one hundred and seventy-one and fifty-one hundred and seventy-six of the Revised Statutes are hereby repealed.

Association, upon deposit of bonds, to receive circulating notes in blank, etc.

Circulation not to exceed ninety per centum of paid-in capital stock.

R. S. 5171, 999, repealed.

R. S. 5176, 1000, repealed.

SEC. 11. That the Secretary of the Treasury is hereby authorized to receive at the Treasury any bonds of the United States bearing three and a half per centum interest, and to issue in exchange therefor an equal amount of registered bonds of the United States of the denominations of fifty, one hundred, five hundred, one thousand, and ten thousand dollars, of such form as he may prescribe, bearing interest at the rate of three per centum per annum, payable quarterly at the Treasury of the United States. Such bonds shall be exempt from all taxation by or under State authority, and be payable at the pleasure of the United States: *Provided*, That the bonds herein authorized shall not be called in and paid so long as any bonds of the United States heretofore issued bearing a higher rate of interest than three per centum, and which shall be redeemable at the pleasure of the United States, shall be outstanding and uncalled. The last of the said bonds originally issued under this act, and their substitutes, shall be first called in, and this order of payment shall be followed until all shall have been paid.

Three and a half per cent. bonds received in exchange for three per cent. registered bonds.

Exemption from tax, etc.

Proviso.

SEC. 12. That the Secretary of the Treasury is authorized and directed to receive deposits of gold coin with the Treasurer or assistant treasurers of the United States, in sums not less than twenty dollars, and to issue certificates therefor in denominations of not less than twenty dollars each, corresponding with the denominations of United States notes. The coin deposited for or representing the certificates of deposits shall be retained in the Treasury for the payment of the same on demand. Said certificates shall be receivable for customs, taxes, and all public dues, and when so received may be reissued; and such certificates, as also silver certificates, when held by any national-banking association, shall be counted as part of its lawful reserve; and no national-banking association shall be a member of any clearing-house in which such certificates shall not be receivable in the settlement of clearing-house balances: *Provided*, That the Secretary of the Treasury shall suspend the issue of such gold certificates whenever the amount of gold coin and gold bullion in the Treasury reserved for the redemption of United States notes falls below one hundred millions of dollars; and the provisions of section fifty two hundred and seven of the Revised Statutes shall be applicable to the certificates herein authorized and directed to be issued.

Gold certificates issued in exchange for deposits of gold coin.

Gold received held for redemption of certificates.

Certificates held by banking associations counted as part of lawful reserve.

Associations prohibited from membership in clearing houses not receiving gold and silver certificates in settlement of balances.

Proviso.

Suspension of issue of gold certificates, when.

R. S. 5207, 1007.

Penalty for falsely certifying checks. 15 Stat., 355. R. S. 5208, 1007.

SEC. 13. That any officer, clerk, or agent of any national-banking association who shall willfully violate the provisions of an act entitled "An act in reference to certifying checks by national banks," approved March third, eighteen hundred and sixty-nine, being section fifty-two hundred and eight of the Revised Statutes of the United States, or who shall resort to any device, or receive any fictitious obligation, direct or collateral, in order to evade the provisions thereof, or who shall certify checks before the amount thereof shall have been regularly entered to the credit of the dealer upon the books of the banking association, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof in any circuit or district court of the United States, be fined not more than five thousand dollars, or shall be imprisoned not more than five years, or both, in the discretion of the court.

SEC. 14. That Congress may at any time amend, alter, or repeal this act and the acts of which this is amendatory.

Approved, July 12, 1882.

July 12, 1882.

CHAP. 291.—An act authorizing the New Orleans and Northeastern Railroad to construct bridges over the channels of Pearl River and Lake Pontchartrain.

New Orleans and Northeastern Railroad to construct bridge over East Pearl River, West Pearl River, and Lake Pontchartrain, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the New Orleans and Northeastern Railroad Company, a corporation organized for the purpose of constructing a railroad between New Orleans, Louisiana, and Meridian, Mississippi, be, and is hereby, authorized and empowered to construct, build, and maintain bridges over and across the navigable waters of the United States on the route of said railroad from New Orleans, Louisiana, to Meridian, Mississippi, as now located, or as said route may hereafter be located, for the use of said company, and the passage of its engines, cars, passengers, mails, and merchandise thereon:

Proviso.

Provided, however, That said company shall construct its bridges over and across the waters known as East Pearl River, West Pearl River, and Lake Pontchartrain, in accordance with such plans devised for the safe passage of vessels as shall be approved by the Secretary of War; and that said company shall construct and maintain such facilities and be governed by such regulations for the passage of vessels as the Secretary of War shall approve.

Declared a lawful structure and post-route.

SEC. 2. That any bridge built under this act and subject to its limitations shall be a lawful structure, and shall be recognized and known as a post-route, upon which also no higher charge shall be made for the

Tolls.

transmission over the same of the mails, the troops, and the munitions of war of the United States, or for passengers and freight passing over said bridge, than the rate per mile paid for the transportation over the railroad or public highways leading to the said bridge; and it shall enjoy the rights and privileges of other post roads in the United States.

Spans.

SEC. 3. That if said bridges shall be made with unbroken and continuous spans, the spans thereof shall not be less than three hundred feet in length in the clear, and the main spans shall be over the main channels of the rivers and lakes across which said bridges may be constructed, and the bridges shall be at right angles to and their piers parallel with the current of said rivers and lakes: *Provided*, That if the

Proviso.

Draw-bridge.

same shall be constructed as draw bridges, the draws or pivots shall be over the main channels of said rivers and lakes at accessible points, and the spans shall not be less than one hundred and sixty feet in length in the clear, and the piers of said bridges shall be parallel with and the bridges at right angles to the current of the channels, and the spans shall not be less than ten feet above high water mark, as understood at the point of location, to the lowest part of the superstructure of said

Proviso.

bridges: *Provided*, That said draws shall be opened promptly by said company, upon reasonable signal, for the passage of boats; and said