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cause to be erected thereon, a substantial and commodious building, with fire proof vaults, for the use and accommodation of the post-office
Site, plans, etc. and for other Government uses at Hoboken, New Jersey. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of sixty thousand dollars; nor shall
Estimates. any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site, nor plan for said building, shall be approved by the Secretary of the Treasury involving an expenditure
Cost. exceeding the said sum of sixty thousand dollars for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least forty-feet, including streets and
Proviso. alleys: *Provided*, That no part of said sum shall be expended until
Title, etc. a valid title to the said site shall be vested in the United States, nor until the State of New Jersey shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Approved, June 18, 1888.

June 19, 1888.

CHAP. 419.—An act to incorporate the Eckington and Soldiers' Home Railway Company of the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Edward F.
Eckington and Soldiers' Home Railway Company, District of Columbia, incorporated. Beale, Edward C. Dean, A. L. Barber, George Truesdell, James L. Barbour, George E. Moore, Charles C. Duncanson, Michael Connor, and Joseph Paul, of the District of Columbia, and their associates, successors, and assigns, be, and they are hereby, created a body corporate under the name of the Eckington and Soldier's Home Railway Company of the District of Columbia, with authority to construct and lay down a single or double-track railway, with the necessary switches, turn-outs, and other mechanical devices and sewer connections neces-
Horse, cable, or electric power. sary to operate the same by horse, cable, or electric power, in the District of Columbia through and along the following avenues, streets, and
Location. highways: Commencing on New York avenue at its intersection with Seventh street, northwest, thence eastwardly along said avenue to its intersection with Third street, northeast, thence along Third street north to T street, thence east to Fourth street with the privilege of extending the same northwardly along Fourth street to the Bunker Hill road within one year after said Fourth street shall have been opened
Proviso. and graded: *Provided*, That in order to avoid crossing the Baltimore and Ohio Railroad, the District Commissioners may, if they deem it necessary, require said company to acquire by purchase the right of way along the west side of said railroad from New York avenue to Third
Branches. street east; also a branch commencing at the intersection of New York avenue with First street, west; and thence north along First street, to the south line of the grounds of the Soldiers' Home; also with the privilege of extending said main line along New York avenue to Ivy City, within one year after said avenue is opened and graded to Ivy City, with the right to run public carriages thereon propelled by horse,
Fare. electric, or cable power. Said company shall receive a rate of fare not exceeding five cents per passenger for any distance between the termini of said main railway or between the termini of its branch railway, or between either terminus of said main railway and the terminus of said branch railway, but shall sell six tickets for twenty-five cents.

Report.

SEC. 2. That said railway company shall, on or before the fifteenth of January of each year, make a report to Congress of the names of all the stockholders therein and the amount of stock held by each, together with a detailed statement of the receipts and expenditures, from whatever source and on whatever account, for the preceding year ending December the thirty-first, which report shall be verified by affidavit of the president and secretary of said company and if said report is not made at the time specified, or within ten days thereafter, it shall be the duty of the Commissioners to cause to be instituted judicial proceedings to forfeit this charter; and said company shall pay to the District of Columbia, in lieu of taxes upon personal property, including cars and motive power, each year four per centum of its gross earnings, which amount shall be payable to the collector of taxes at the times and in the manner that other taxes are now due and payable, and subject to the same penalties on arrears; and the franchise and property of said company, both real and personal, to a sufficient amount, may be seized and sold in satisfaction thereof, as now provided by law for the sale of other property for taxes; and said per centum of its gross earnings shall be in lieu of all other assessments of personal taxes upon its property, used solely and exclusively in the operation and management of said railway. Its real estate shall be taxed as other real estate in the District: *Provided*, That its tracks shall not be taxed as real estate.

Taxes.

Proviso.
Tracks not real estate.

Laying of track.

SEC. 3. That the said railway shall be laid in the center of the avenue and streets as near as may be, to be constructed of good materials, and in a substantial and durable manner, with the rails of the most approved pattern, all to be approved by the Commissioners of the District, laid upon an even surface with the pavement of the street and in such manner as to interfere with the ordinary travel as little as practicable; and the gauge to correspond with that of other city railroads.

Repairs to pavements.

SEC. 4. That the said corporation shall, at its own expense, keep said tracks within the city limits, and for the space of two feet beyond the outer rails thereof, and also the space between the rails and tracks, at all times well paved and in good repair, to be approved by the Commissioners of the District; and beyond the limits of said city shall keep its tracks, and for the space of two feet beyond the outer rails thereof, and also the space between the rails and tracks, well graded or paved, and in good repair, so as to impede the general travel as little as possible.

Changes of grade.

SEC. 5. In the event of a change of grade at any time of any of the streets, avenues, or roads occupied by the track of this corporation, it shall be the duty of said company, at its own expense, to change its said railroad so as to conform to such grade as may have been thus established.

Construction.

SEC. 6. That it shall be lawful for said corporation, its successors or assigns, with the approval of the Commissioners of the District of Columbia, to make all needful and convenient trenches and excavations and sewer connections in any of said streets or places where said corporation may have the right to construct and operate its road, and place in such trenches and excavations all needful and convenient devices and machinery for operating said railroad in the manner and by the means aforesaid; and said sewer connections shall have such traps or other devices as may be required by the Commissioners of the District. It shall also be lawful for said corporation, its successors or assigns, to erect and maintain, at such convenient and suitable points along its lines as may seem most desirable to the board of directors of the said corporation, and subject to the approval of the Commissioners of the District, an engine-house or houses, boiler-house or houses, and all other buildings necessary for the successful operations of an electric or cable motor railroad.

Rate of speed.

SEC. 7. That it shall not be lawful for said corporation, its successors or assigns, to propel its cars over said railroad, or any part thereof, within the city limits, at a rate of speed exceeding ten miles per hour; and without the city limits, at a rate of speed exceeding fifteen miles per hour; and for each violation of this provision said grantees, their successors or assigns, as the case may be, shall be subject to a penalty of fifty dollars, to be recovered in any court of competent jurisdiction at the suit of the Commissioners of the District of Columbia.

Commencement and completion.

SEC. 8. That the main line of said railway shall be commenced within three months, and completed within twelve months from the passage of this act; and the branch of the same shall be completed within two years from the time First and Fourth streets and New York Avenue shall be respectively graded; and if the said work on the main line shall not be so commenced and completed, then the privileges and powers herein granted shall be void.

Capital stock.

If horse power.

SEC. 9. That the capital stock of said company shall not exceed, if horse power is to be used for the main line, sixty thousand dollars, which may be increased when work is commenced on the First street branch forty-five thousand dollars, and on the Ivy City branch thirty-two thousand dollars, and on the Fourth street extension forty thousand dollars.

Electric power.

If electric power is to be used, the capital stock for the main line shall not exceed one hundred and two thousand dollars, which may be increased when work is commenced on the First street branch eighty-four thousand dollars, and Ivy City branch sixty thousand dollars, and on the Fourth street extension seventy-five thousand dollars.

Cable.

If propelled by cable the capital stock for the main line shall not exceed two hundred and four thousand dollars, which may be increased when work is commenced on the First street branch one hundred and sixty-eight thousand dollars, and on the Ivy City branch one hundred and twenty thousand dollars; and on the Fourth street extension, one hundred and fifty thousand dollars; and that the stock shall be divided into shares of fifty dollars each, transferable in such manner as the by-laws of said company may direct, and said company shall require the subscribers to the capitol stock to pay in cash the amount by them respectively subscribed, at such times (after the first installment) and in such amounts as the board of directors may deem proper and necessary in the construction of said road; and if any stockholder shall refuse or neglect to pay any installment, as required by a resolution of the board of directors, after reasonable notice of the same, the said board of directors may sell at public auction, to the highest bidder, so many shares of his said stock as shall pay said installment (and the person who offers to purchase the least number of shares for the assessment due shall be taken as the highest bidder), and the sale shall be conducted under such general regulations as may be adopted in the by-laws of said company; but no stock shall be sold for less than the total assessments due and payable, or said corporation may sue and collect the same from any delinquent subscriber in any court of competent jurisdiction.

Cars.

SEC. 10. That the company shall place cars of the best construction on said railways, with all modern improvements necessary to the convenience and comfort of passengers, and shall run cars thereon as often as the public convenience may require, in accordance with a time table or schedule adopted by the company, a copy of which shall be filed with the Commissioners of the District of Columbia, and to be approved by them.

Shops, etc.

SEC. 11. That the company shall buy, lease, or construct such passenger-rooms, ticket-offices, work-shops, depots, lands, and buildings as they may deem necessary, at such points on its line as may be approved by the Commissioners of the District.

Lost articles.

SEC. 12. 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 its principal depot and entered in a book of record of unclaimed goods, which book shall be open to the inspection of the public, and if said property remain unclaimed for one year the company shall sell the same after five days notice.

Organization.

SEC. 13. That within thirty 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 District of Columbia, 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 five days (unless the whole stock shall be sooner subscribed for); and said corporators shall give public notice, by advertisement in at least two 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 books to the capital stock of the company shall be held to be the 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 corporators, or his subscription shall be null and void: *Provided further*, That nothing shall be received in payment of the ten per centum, at the time of subscribing, except lawful money or certified checks from any national bank. 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.

Provisos.
Subscriptions.

To be in money.

Directors.

SEC. 14. That the government and direction of the affairs of the company shall be vested in the board of nine directors who shall be stockholders of record, and who shall hold their office for one year, and until their successors are duly elected and qualified; and the said directors, a majority of whom shall be a quorum, shall elect one of their number president of the board, who shall also be president of the company; and they shall also choose a vice-president, a secretary, and a treasurer, the latter of whom shall give bond, with good and sufficient 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 death, resignation, or otherwise, the vacancy so occasioned shall be filled by the remaining directors.

By-laws, rules, and regulations.

SEC. 15. That the directors shall have the 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 and the management of its business, not contrary to the charter or to the laws of the United States and the ordinances of the District of Columbia.

Annual meetings.

SEC. 16. 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.

Punishment for offenses against company.

SEC. 17. That said company shall have at all times the free and uninterrupted use of its roadway; and if any person or persons shall willfully, mischievously, and unnecessarily obstruct or impede the passage of the cars of said railway with a vehicle or vehicles, or other-

wise, or in any manner molest or interfere with passengers or operatives while in transit, or destroy or injure the cars of said railway or depots, or other property belonging to said railway, the person or persons so offending shall forfeit and pay for each such offense not less than twenty-five nor more than one hundred dollars, to be recovered as other fines and penalties in said District, and shall also be liable to said company, in addition to said penalty, for any loss or damage occasioned by his or her or their act as aforesaid, but unless suit shall be brought within sixty days the action shall be barred.

Right of way across other lines.

SEC. 18. That the said Company shall have the right of way across such other railways as are now in operation within the limits of the lines granted by this act, and is hereby authorized to construct its said road across such other railways: *Provided*, That it shall not unnecessarily interrupt the travel of such other railways in such construction.

Right of travel.

SEC. 19. That no person shall be prohibited the right to travel on any part of said road, or be ejected from the cars by the company's employees, for any other cause than that of being drunk, disorderly, unclean, or contagiously diseased, or refusing to pay the legal fare exacted, or to comply with the lawful regulations of the company.

Assignment, etc.

The corporators herein named, or the corporation hereby created, shall not sell or assign any of the rights hereby conferred relating to the line of said road until after the main road hereby authorized shall have been constructed as herein provided, and then only after having obtained the written consent of the stockholders representing two-thirds in value of the capital stock.

Amendment.

SEC. 20. That Congress reserves the right to alter, amend, or repeal this act at any time.

Approved, June 19, 1888.

June 19, 1888.

CHAP. 420.—An act for the erection of a public building at Bay City, Michigan.

Bay City, Mich. Public building.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or provide by purchase, condemnation proceedings or otherwise, a site, and cause to be erected thereon a substantial and commodious building, with fire-proof vaults, for the use and accommodation of the United States courts, post-office, customs-office, internal-revenue office, and for other Government uses at Bay City, Michigan. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of two hundred thousand dollars; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site, nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of two hundred thousand dollars for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least forty feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Michigan shall cede to the United States exclusive jurisdiction over the same during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Site, plans, etc.

Estimates.

Cost.

Proviso.

Title, etc.

Approved, June 19, 1888.