AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Congressional commission to investigate postal expenditures, etc.

SEC. 5. That a commission consisting of the chairmen of the Committees on Post-Offices and Post-Roads of the Senate and House of Representatives, and three members of the Senate, to be appointed by the President of the Senate, and three members of the House of Representatives, to be appointed by the Speaker, is hereby created to investigate the question whether or not excessive prices are paid to the railroad companies for the transportation of the mails and as compensation for postal-car service, and all sources of revenue and all expenditures of the postal service, and rates of postage upon all postal matter.

Post, p. 966.

Clerks, etc.

Said commission is authorized to employ experts to aid in the work of inquiry and examination; also to employ a clerk and stenographer and such other clerical assistance as may be necessary, said experts and clerks to be paid such compensation as the said commission may deem just and reasonable.

Detail of postal employees.

The Postmaster-General shall detail, from time to time, such officers and employees as may be requested by said commission in its investigation.

Powers of commission.

For the purposes of the investigation, said commission is authorized to send for persons and papers, and, through the chairman of the commission or the chairman of any subcommittee thereof, to administer oaths and to examine witnesses and papers respecting all matters pertaining to the duties of said commission, and to sit during the recess of Congress.

Report.

Said commission shall, on or before February first, eighteen hundred and ninety-nine, make report to Congress, which report shall embrace the testimony and evidence taken in the course of the investigation, also the conclusions reached by said commission on the several subjects examined, and any recommendations said commission may see proper to make by bill or otherwise with the view of correcting any abuses or deficiencies that may be found to exist.

Appropriation for expenses.

The sum of twenty thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the necessary expenses of said commission, such payments to be made on the certificate of the chairman of said commission.

Vacancies, how filled.

Any vacancy occurring in the membership of said commission, by resignation or otherwise, shall be filled by the presiding officer of the Senate or House, respectively, according as the vacancy occurs in the Senate or House representation on said committee.

Appropriation for deficiencies in revenues.

SEC. 6. That if the revenues of the Post-Office Department shall be insufficient to meet the appropriations made by this Act, a sum equal to such deficiency of the revenues of said Department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply said deficiencies in the revenues for the Post-Office Department for the year ending June thirtieth, eighteen hundred and ninety-nine.

Approved, June 13, 1898.

CHAP. 447.—An Act To authorize the extension eastwardly of the Columbia Railway.

June 13, 1898.

District of Columbia. Extension of lines of Columbia Railway. Vol. 16, p. 133.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Columbia Railway Company, incorporated under an Act of Congress approved May twenty-fourth, eighteen hundred and seventy, be, and it is hereby, authorized to extend its lines and to locate, construct, equip, and maintain and operate a single or double track railway, and all necessary depots, stations, sidings, switches, and turn-outs, and to run cars thereon propelled by cable, electric, compressed air, or other mechan-

ical power, except steam locomotives, to be approved by the Commissioners of the District of Columbia, and to carry passengers, parcels, milk, truck, and merchandise over and along the following routes and roads in the District of Columbia, to wit: Beginning at the present eastern terminus of the railway of said company as now laid down and constructed on Benning road; thence along the north side of said road, but outside of the limits thereof, to the western edge or shore line of the Eastern Branch of the Potomac River; thence over the flats of said branch and over said branch by a wooden trestle bridge to the eastern edge or shore of said branch; thence to a point at or near the intersection of said Benning road with the road north of the Baltimore and Potomac Railroad known as the Race Course road; thence along the said Race Course road, but outside its limits, to the Anacostia road; thence along said Anacostia road, but outside its limits, to Watts Creek; thence east across said Anacostia road, and, by a proper subway, underneath the tracks of the Baltimore and Potomac and Baltimore and Ohio railroads, to a point at or near the eastern corner of the District of Columbia, with a branch from the intersection of said Watts Creek and Anacostia road along Anacostia road, but outside its limits, to its intersection with the eastern boundary line of the District of Columbia:

Location.

Provisos.
District Commissioners to approve plans, etc.
Bridge, Eastern Branch.

Provided, That the location of said routes and the plans and specifications for the construction of the said railway lines, depots, and stations shall be subject to the approval of the Commissioners of the District of Columbia, and that the said company shall, whenever the flats of the said Eastern Branch shall be reclaimed, construct in the place and stead of the trestle bridge herein provided for a permanent structure, to be approved by the Commissioners of the District of Columbia:

Overhead trolleys.

And provided further, That overhead trolleys shall not be used on the lines of the said company farther west on said railroad than Fifteenth street northeast.

Earth connections.

That wherever electric power propulsion is adopted upon the extension herein authorized, or on any other portion of the line of said Columbia Railway Company, no portion of the electrical circuit shall be through the earth, but a return circuit of proper capacity and located similarly to the feed-wire circuit shall be provided for the electrical current, and that whenever the trolley system is used each car shall be provided with a double trolley, and that no earth connection shall be made with any dynamo furnishing power for the road.

Crossing Eastern Branch flats.

The said company is hereby authorized to construct a roadbed or causeway on which to lay the tracks of its railway across the flats of said Eastern Branch from the western shore or edge to the channel thereof.

Time for completion of lines.

SEC. 2. That the main line hereby authorized to a point at or near the eastern corner of the District of Columbia shall be completed within one year from the date of the approval of this Act, and the branch from said Watts Creek along said Anacostia road shall be completed within two years from the date of the approval of this Act.

Fares.

SEC. 3. That only one fare for a continuous ride over the route described in the company's charter, and over the extensions hereby authorized or any part thereof, shall be charged for each passenger.

Obstruction of tracks.

SEC. 4. That the said company shall have at all times the free and uninterrupted use of the line and tracks hereby authorized, and if any person or persons shall willfully, mischievously, and unlawfully obstruct or impede the passage of cars of said railway company with a vehicle or vehicles, or otherwise, 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, stations, or other property belonging to the said railway company, the person or persons so offending shall forfeit and pay for each such offense a sum not exceeding one hundred dollars, to be recovered as other fines and penalties are recovered in said District, and all persons so offending shall remain liable, in addition to said penalty, for any loss or damage occasioned by his or her or their act as aforesaid; but no suit shall be brought to enforce such fines and penalties or to recover for any such loss or damage unless commenced within sixty days after the offense shall have been committed.

Injury to property.
—penalty.

SEC. 5. That the said company shall have the right to acquire and obtain the right of way over and through the land on which the aforesaid lines and routes may be located, and to acquire and hold land for necessary depots, stations, offices, store and power houses, and workshops; and in the event that said company shall not be able to come to an agreement with the owners of any land through which the said line and routes may be located, or on which it may be necessary to erect depots, stations, offices, store and power houses, or workshops, proceedings for the condemnation for the use of the company of so much land as may be required for right of way, not exceeding thirty feet in width, and for the necessary depots, stations, offices, store and power houses, and workshops may be instituted in the supreme court of the District of Columbia under and in accordance with the provisions of sections two hundred and fifty-seven to two hundred and sixty-seven, both inclusive, of the Revised Statutes of the United States relating to the District of Columbia, being the laws governing the condemnation of lands in said District for public highways: *Provided*, That it shall be the duty of the marshal of the said District, upon the request of said railway company, to summon all necessary jurors and to exercise the powers and authority conferred upon him by said laws: *And provided further*, That the costs and expenses of all such proceedings shall be defrayed by the said railway company. The Commissioners of the District of Columbia are authorized and empowered to locate the lines of the railway of said company within the said area, thirty feet in width, so to be acquired as aforesaid, north of the present northern line of said Benning road. In the event that said Benning road and other roads mentioned in section one shall be widened to a width of ninety or more feet, and further, in the event of any portions of the right of way being included in highways to be opened in future, then, and in such cases, the said company shall convey to the District of Columbia, for the use of the public, the right of way over the said area of thirty feet in width, subject, however, to the right of the said company to use and occupy the same for the operation and maintenance of its said road.

Right of way.

Condemnation proceedings.

R. S., D. C., secs. 257–267, p. 29.

Provisos.

Marshal to summon jury, etc.

Expenses.

Location Benning road.

Inclusion in future highways of right of way, etc.

SEC. 6. That the said railway company shall have the right to issue bonds of said company to an amount necessary to cover the cost of locating, constructing, and equipping the said extended lines of railway tracks and the depots, stations, offices, store and power houses, and workshops necessary to the proper operation thereof, and to secure the same by a mortgage or deed of trust covering its corporate franchises and properties, or such portion thereof as may be necessary for that purpose: *Provided, however*, That the total issue of said bonds shall not in the aggregate exceed the actual cost of the construction and equipment hereinbefore authorized; and before any bond or trust deed shall be executed, the amount thereof shall be ascertained and fixed by the Commissioners of the District of Columbia; and for this purpose said Commissioners are hereby authorized to subpœna and examine witnesses and take such testimony as may be necessary to enable them to make such determination and fix the amount of issue: *And provided further*, That an appeal may be taken from the decision of said Commissioners to the supreme court of the District of Columbia. And all bonds issued in excess of the amount authorized by said Commissioners or said court, or in violation of the provisions of this Act, shall be null and void.

Issue of bonds.

Provisos.
—limit.
—fixing amount of issue.

Appeal.

Excessive issue void.

SEC. 7. That the said railway company is authorized and empowered to contract with any railway company owning and operating, or which may hereafter own and operate, any railway connecting or intersecting the extension of the Columbia Railway herein authorized, for the joint use, management, or lease of said extended lines, or either of them, or any part thereof, upon such terms as may be agreed upon between such companies: *Provided*, That steam power shall not be used upon any portion of the route named herein which is or may hereafter be included within the limits of highways, nor west of the present tracks of the

Joint use of extension by connecting, etc., railways.

Proviso.
Steam power on highways, etc.

Use of lines by intersecting, etc., railways.

Baltimore and Ohio and Baltimore and Potomac railroads: *And provided further*, That nothing herein contained shall be construed to prohibit the Congress from authorizing any other railroad company owning and operating or to own and operate any connecting or intersecting railway to use said extended lines, or either of them, or any part thereof, upon such terms as it may prescribe.

Obligations of charter, etc., applicable to extension.

SEC. 8. That the rights conferred and the duties and obligations imposed upon said company by its charter, or by subsequent legislation, shall be held to extend and apply to the extensions herein provided for: *Provided*, That nothing herein shall be construed to authorize the Columbia Railway to occupy the right of way of any other company.

Proviso.
Right of way of other companies.
Amendment.

SEC. 9. That Congress reserves to itself the right to alter, amend, or repeal this Act.

Approved, June 13, 1898.

June 13, 1898.

CHAP. 448.—An Act To provide ways and means to meet war expenditures, and for other purposes.

Taxes to meet war expenditures.
—on fermented liquors.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be paid, in lieu of the tax of one dollar now imposed by law, a tax of two dollars on all beer, lager beer, ale, porter, and other similar fermented liquors, brewed or manufactured and sold, or stored in warehouse, or removed for consumption or sale, within the United States, by whatever name such liquors may be called, for every barrel containing not more than thirty-one gallons; and at a like rate for any other quantity or for the fractional parts of a barrel authorized and defined by law. And section thirty-three hundred and thirty-nine of the Revised Statutes is hereby amended accordingly: *Provided*, That a discount of seven and one-half per centum shall be allowed upon all sales by collectors to brewers of the stamps provided for the payment of said tax: *Provided further*, That the additional tax imposed in this section on all fermented liquors stored in warehouse to which a stamp had been affixed shall be assessed and collected in the manner now provided by law for the collection of taxes not paid by stamps.

R. S., sec. 3339, p. 651, amended.

Provisos.
Stamp discount.

Collection, etc., of additional tax on liquors in warehouse.

SPECIAL TAXES.

Special taxes.

SEC. 2. That from and after July first, eighteen hundred and ninety-eight, special taxes shall be, and hereby are, imposed annually as follows, that is to say:

—on bankers.

One. Bankers using or employing a capital not exceeding the sum of twenty-five thousand dollars shall pay fifty dollars; when using or employing a capital exceeding twenty-five thousand dollars, for every additional thousand dollars in excess of twenty-five thousand dollars, two dollars, and in estimating capital surplus shall be included. The amount of such annual tax shall in all cases be computed on the basis of the capital and surplus for the preceding fiscal year. Every person, firm, or company, and every incorporated or other bank, having a place of business where credits are opened by the deposit or collection of money or currency, subject to be paid or remitted upon draft, check, or order, or where money is advanced or loaned on stocks, bonds, bullion, bills of exchange, or promissory notes, or where stocks, bonds, bullion, bills of exchange, or promissory notes are received for discount or sale, shall be a banker under this Act: *Provided*, That any savings bank having no capital stock, and whose business is confined to receiving deposits and loaning or investing the same for the benefit of its depositors, and which does no other business of banking, shall not be subject to this tax.

—definition.

Proviso.
Exception.

—on brokers.
—definition.

Two. Brokers shall pay fifty dollars. Every person, firm, or company, whose business it is to negotiate purchases or sales of stocks, bonds, exchange, bullion, coined money, bank notes, promissory notes, or other