

poration 50 cents on each thousand dollars of the amount of capital stock of the corporation as set forth in its said certificate: *Provided, however,* That the fee so paid shall not be less than \$50: *Provided further,* That the recorder of deeds shall not file or record any certificate of organization of any incorporation until it has been proved to his satisfaction that all the capital stock of said company has been subscribed for in good faith, and not less than 10 per centum of the par value of the stock has been actually paid in cash, and the money derived therefrom is then in the possession of the persons named as the first board of trustees."

Approved, June 17, 1935.

Provisos.
Minimum fee.

Amount of paid-in
capital stock required.

[CHAPTER 266.]

AN ACT

To amend an Act of Congress entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, by adding three new sections to be numbered 802 (a), 802 (b), and 802 (c), respectively.

June 17, 1935.
[S. 2100.]
[Public, No. 150.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, be further amended by adding immediately following section 802 three new sections to be numbered 802 (a), 802 (b), and 802 (c), respectively.

District of Columbia
Code, amendments.
Offenses against the
person.
Vol. 31, p. 1321.

"SEC. 802. (a) **NEGLIGENT HOMICIDE.**—Any person who, by the operation of any vehicle at an immoderate rate of speed or in a careless, reckless, or negligent manner, but not willfully or wantonly, shall cause the death of another, shall be guilty of a misdemeanor, and shall be punished by imprisonment for not more than one year or by a fine of not more than \$1,000, or both.

Negligent homicide.
Punishment for.

"It shall be the duty of the coroner of the District of Columbia, upon any inquisition taken before him which results in the jury finding that negligent homicide, as defined herein, has been committed on the deceased, to require such witnesses as he thinks proper to give recognizance to appear and testify, or in default thereof to be committed to jail for appearance, in either the Supreme Court or the police court of the District of Columbia, and the coroner shall return to either said court the said inquisition, testimony, and recognizance or order by him taken or given.

Coroner's inquest.

Witnesses; appear-
ance, testimony.

SEC. 802. (b) **NEGLIGENT HOMICIDE INCLUDED IN MANSLAUGHTER WHERE DEATH DUE TO OPERATION OF VEHICLE.**—The crime of negligent homicide defined in section 802 (a) shall be deemed to be included within every crime of manslaughter charged to have been committed in the operation of any vehicle, and in any case where a defendant is charged with manslaughter committed in the operation of any vehicle, if the jury shall find the defendant not guilty of the crime of manslaughter such jury may, in its discretion, render a verdict of guilty of negligent homicide.

Crime deemed in-
cluded in manslaughter
where death due to op-
eration of vehicle.

"SEC. 802. (c) **IMMODERATE SPEED NOT DEPENDENT ON LEGAL RATE OF SPEED.**—In any prosecution under sections 802 (a) or 802 (b), whether the defendant was driving at an immoderate rate of speed shall not depend upon the rate of speed fixed by law for operating such vehicle."

Defining immod-
erate speed.

Approved, June 17, 1935.