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LAWS OF THE UNITED STATES.

[BY AUTHORITY.]

AN ACT

To incorporate the Bank of Washington.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the fourth day of March, which will be in the year of our Lord, one thousand eight hundred and eleven, all those persons, their legal representatives or assigns, who on the first Monday of September, in the year of our Lord, one thousand eight hundred and nine, at the City of Washington, subscribed certain articles of association, and formed a company or limited partnership, under the name and style of "The President & Directors of the Bank of Washington," and who, on the said fourth day of March, in the year eighteen hundred and eleven, shall hold any share of the joint stock or funds, created in pursuance of the said articles of association, and their successors, being stockholders as aforesaid, shall be, and they are hereby incorporated, and made a body corporate and politic, by the name and style of "The President and Directors of the Bank of Washington;" and by that name may sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in courts of record and any other place whatsoever; and by that name may have and hold, purchase, receive, possess, enjoy and retain lands, rents, tenements, hereditaments, goods, chattels and effects, of what nature, kind or quality soever, and the same sell, grant, demise, alien and dispose of. And by that name shall have succession, during the continuance of this act, and may make, have and use a common seal, and the same may break, alter and renew at pleasure, and shall have power to ordain, establish and put in execution, such bye laws, ordinances and regulations as shall seem necessary and convenient for the government of the said corporation, not being contrary to law, nor to the constitution thereof; and generally to do and execute all acts necessary or proper for the objects of the said incorporation, subject to the rules, regulations, restrictions, limitations and provisions herein described and declared.

Sec. 2. *And be it further enacted*, That the capital stock of the said bank shall consist of five hundred thousand dollars, money of the United States, to be divided into shares of twenty dollars each; of which, ten dollars on each share will, according to the articles of association aforesaid, have been paid before the said fourth day of March, eighteen hundred and eleven; and it shall be optional with any stockholder thereafter to fill up his or her share or shares, by the payment at any one time, of the residue of the money due thereon, who shall thereupon be entitled to receive dividends in future, in proportion to the whole amount paid upon such share or shares: *Provided*, That the dividend or dividends on such sums of money so paid, shall not commence until the first day of the month next ensuing such payment.

Sec. 3. *And be it further enacted*, That the said Bank shall transact its business in the City of Washington.

Sec. 4. *And be it further enacted*, That the affairs of the said bank shall be conducted by twelve directors and a president, whose place, if chosen from among their number, shall be supplied by that body. Six of the directors, with the president, shall form a board or quorum for transacting all the business of the company. In case of his sickness or necessary absence, his place may be supplied by any director, whom he, by writing under his hand, may nominate for that purpose; or in case of his not making such nomination, the board may appoint a president to act during his absence. The president and directors who may be in office, under the said articles of association, on the said fourth day of March, eighteen hundred and eleven, shall continue in office under and by virtue of this act of incorporation, until others shall be duly chosen in their stead. No person shall be a director or president who is not a citizen of the United States and a stockholder; and a director ceasing to be a stockholder shall cease to be a director. And no person, a director of another bank, shall be a director of this bank. Every stockholder, being a citizen of the United States, shall be entitled to vote at all elections to be holden by the stockholders, in pursuance of this act, and shall have as many votes, in proportion to the stock he may hold, as follows: for one share and not exceeding two shares, one vote each; for every two shares above two, and not exceeding ten, one vote; for every four shares above ten, and not exceeding thirty, one vote; and for every six shares above thirty, and not exceeding sixty, one vote; for every eight shares above sixty, and not exceeding one hundred, one vote, and for every ten shares above that number, one vote. But no person or persons, bodies corporate, or otherwise, shall be entitled to more than fifty votes. But no stockholder shall be permitted to vote, who has not held his stock two calendar months prior to the day of election. All stockholders being in the City of Washington, shall vote in the choice of directors by ballot in person; but every stockholder living out of said city, may vote in person or by a written ballot by him or her, subscribed with his or her name, and duly acknowledged before a judge of a court, a justice of the peace, or a notary public; a certificate whereof shall be made on said ballot by the judge, justice of the peace, or notary public, before whom such acknowledgement shall be made, and said ballot shall by him be sealed up, and addressed to the cashier of the bank; and being transmitted before the time of the election, shall be received & counted in the election. No person who is not a citizen of the United States shall be entitled to vote in any election of this corporation. *Provided nevertheless*, That this section may at any time hereafter be altered or amended by Congress, in such manner as they may see fit, so as to provide for an annual rotation of the directors.

Sec. 5. *And be it further enacted*, That a general meeting of the stockholders of the said bank, shall be holden on the first Monday of January, in the year eighteen hundred and twelve, and on the first Monday of January in every year thereafter, at such place as the president and directors shall appoint, by giving four weeks notice in one or more of the newspapers of the city of Washington, for the purpose of electing directors for the ensuing year, who shall meet on the day succeeding their election, and shall immediately proceed to choose a president; and the president and directors for the time being shall continue in office until others shall be duly elected in their places, and be organised by the assembling of a quorum, and the choice of a president. At all elections the persons having the greatest number of votes, shall be deemed to be chosen. All elections shall be held under the superintendance of the president of the bank for the time being and four stockholders, not being at the time the directors, appointed by the board of directors, any three of whom shall be judges thereof. They shall immediately thereafter notify the persons elected to meet the ensuing day at the bank, and shall make a return of the persons elected at their first meeting. Should two or more persons have an equal number of votes, the other individuals elected directors, shall determine by ballot from among said persons, who shall be the director or directors. All elections shall be opened at ten o'clock in the forenoon, and closed at three o'clock in the afternoon.

Sec. 6. *And be it further enacted*, That the president and directors shall have full power to make, revise, alter and annul all such rules, orders, bye laws and regulations, for the government of the said corporation, and that of its officers, servants and affairs, as they shall from time to time think expedient; & to use, employ and dispose of the capital stock, funds and property of the said bank, for the interest and benefit of the stockholders, subject only to the restrictions herein contained; but the said bank shall not take for discounting any bill or note, more than at the rate of six per cent. per annum, upon the amount due by such bill or note.

Sec. 7. *And be it further enacted*, That all promissory notes, bills of exchange, drafts, checks and receipts, for the payment of money made on behalf of the said bank, signed by the president, and countersigned or attested by the cashier, shall be obligatory upon the said body corporate, and shall possess the like qualities as to negotiability, and the holders thereof shall have the like actions thereupon, as if such promissory notes, bills of exchange, drafts, checks or receipts, had been made by or on behalf of a natural person.

Sec. 8. *And be it further enacted*, That the books, papers, correspondence and funds of the bank, shall at all times be subject to the inspection of the directors. And the said president and directors shall once in every year cause to be laid before the Secretary of the Treasury of the United States an account truly stating the situation of the bank & its funds.

Sec. 9. *And be it further enacted*, That the said president and directors shall have power to appoint a cashier, and all other officers and servants, for executing the business of the said bank, and to establish the compensation to be made to the president and all other officers and servants of the said bank respectively. But no compensation shall be given to a director for his services, except by a vote of the stockholders in general meeting.

Sec. 10. *And be it further enacted*, That the president and directors shall have power to call a general meeting of the stockholders, for purposes concerning the interests of the bank, giving at least six weeks notice in one or more of the newspapers of the City of Washington, specifying in such notice the object or objects of such meeting.

Sec. 11. *And be it further enacted*, That the shares of capital stock, at any time owned by any individual stockholder, shall be transferable only on the books of the bank, according to such rules as may conformably to law, be established in that behalf by the president and directors; but all debts actually due, and payable to the bank (days of grace for payment being past) by a stockholder, requesting a transfer, must be satisfied before such transfer shall be made unless the president and directors shall direct to the contrary.

Sec. 12. *And be it further enacted*, That the dividends of the profits of the company, or so much of said profits as shall be deemed expedient and proper, shall be declared, half yearly, in the first week in May and November, in each year; the amount of said dividend shall from time to time be determined by the president and directors, and shall in no case exceed the amount of the net profits actually acquired by the company, so that the capital stock of the said company shall never be impaired by dividends.

Sec. 13. *And be it further enacted*, That the said bank shall not at any time discount or loan a greater sum than double the amount of the capital stock thereof, which shall be actually paid in.

Sec. 14. *And be it further enacted*, That if the said directors shall at any time, wilfully and knowingly make or declare any dividend which shall impair the said capital stock, all the directors present at the making or declaring of said dividend, and consenting thereto, shall be liable in their individual capacities to the company for the amount or proportion of said capital stock so divided by the said directors; and each director who shall be present at the making or declaring such dividend, shall be deemed to have consented thereto, unless he shall immediately enter, in writing, his dissent on the minutes of the proceedings of the board, and give notice thereof to the secretary of the treasury of the United States.

Sec. 15. *And be it further enacted*, That the bank shall in no case be owners of any ships or vessels, or directly or indirectly be concerned in trade, or the importation or exportation, purchase or sale of any goods, wares or merchandise whatever, except bills of exchange, bullion, stock of the United States, or of incorporated institutions, and such ships, vessels, goods, wares or merchandize, as shall be truly pledged to them by way of security for debts due, owing or growing due to the said bank, or purchased by it to secure such debts.

Sec. 16. *And be it further enacted*, That the said bank shall not purchase or hold any lands, tenements or other real estates, other than what may be necessary for the convenient transaction of its business, unless such lands, tenements and real estates shall have been bona fide mortgaged to the bank by way of security, or conveyed to it in satisfaction of debts previously contracted in the course of dealings, or purchased to secure debts contracted with or due to the bank; and in every instance in which the bank may become the owners or claimants of lands, tenements or real estates, the president and directors are empowered to sell or dispose of the same, in such manner as they may deem beneficial for the said bank.

Sec. 17. *And be it further enacted*, That if any vacancy shall at any time happen among the directors by death, resignation or otherwise, the rest of the directors for the time being, shall elect a director to fill the vacancy.

Sec. 18. *And be it further enacted*, if any number of stockholders, who shall be proprietors of not less than two thousand shares, may for any purpose relative to the institution, at any time apply to the president and directors to call a general meeting of the stockholders, and if by them refused, the said number of stockholders, proprietors of not less than the number of shares aforesaid, shall have power to call a general meeting of the stockholders, giving at least sixty days notice in one or more of the public newspapers of the City of Washington, specifying in such notice the object or objects of such call.

Sec. 19. *And be it further enacted*, That the total amount of the debts, which the said corporation shall at any time owe, whether by bond, bill, note or other contract, shall not exceed twice the amount of their capital stock actually paid over and above the monies then actually deposited in the bank for safe keeping. In case of excess, the directors under whose administration it shall happen, shall be liable for the same, in their natural and private capacities; and an action of debt may in such case be brought against them, or any of them, their or any of their heirs, executors or administrators in any court proper to try the same by any creditor or creditors of said corporation, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt said corporation, or the lands, tenements, goods or chattels of the same from being also liable for and chargeable with said excess. Such of said directors who may have been absent when said excess was contracted or created, or who may have dissented from the resolution or act whereby the same was so contracted or created, may respectively exonerate themselves from being so liable by forthwith giving notice of the fact, and of their absence or dissent to the secretary of the treasury of the United States, and to the stockholders at a general meeting which they shall have power to call for that purpose; and the body corporate hereby erected, and the capital stock thereof, shall be liable for all the debts and engagements contracted, or which before or on the said fourth day of March, in the year eighteen hundred and eleven, shall be contracted by the company or copartnership heretofore created by the articles of association herein before mentioned, and which carried on the banking business under the name and style of "The President and Directors of the Bank of Washington," and the creditors of the said co partnership shall have the like remedy by action, against the said body corporate, as they had or have, or may or can have against the said copartnership.

Sec. 20. *And be it further enacted*, That in case it should at any time happen, that an election of directors should not be made on any day when, pursuant to this act, it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved; but it shall be lawful on any other day to hold and make an election of directors, at a meeting to be called, in such manner as shall be prescribed by the laws and ordinances of the said corporation.

Sec. 21. *And be it further enacted*, That this act shall, to all intents and purposes, be deemed and held a public act, and be and continue in force for the term of ten years, from and after the fourth day of March, which will be in the year of our Lord, one thousand eight hundred and eleven, and no longer.

J. B. VARNUM,
Speaker of the House of Representatives.
GEO. CLINTON,
Vice President of the United States, and President of the Senate.

February 15, 1811.

Approved—JAMES MADISON.

AN ACT

Supplementary to the act, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes"

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That no vessel owned wholly by a citizen or citizens of the U. States, which shall have departed from a British port prior to the second day of February one thousand eight hundred and eleven, and no merchandise, owned wholly by a citizen or citizens of the United States, imported in such vessel, shall be liable to seizure or forfeiture, on account of any infraction or presumed infraction of the provisions of the act to which this act is a supplement.

Sec. 2. *And be it further enacted*, That in case Great Britain shall so revoke or modify her edicts, as that they shall cease to violate the neutral commerce of the United States, the President of the United States shall declare the fact by proclamation and such proclamation shall be admitted as evidence, and no other evidence shall be admitted of such revocation or modification in any suit or prosecution which may be instituted under the fourth section of the act to which this act is a supplement. And the restrictions imposed or which may be imposed by virtue of the said act shall, from the date of such proclamation, cease and be discontinued.

Sec. 3. *And be it further enacted*, That until the proclamation aforesaid shall have been issued the several provisions of the third, fourth, fifth, sixth, seventh, eighth, nith, tenth and eighteenth sections of the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes," shall have full force and be immediately carried into effect against G. Britain, her colonies and dependencies;—*Provided however*, That any vessel or merchandise which may in pursuance thereof be seized, prior to the fact being ascertained, whether Great Britain shall, on or before the second day of February, one thousand eight hundred and eleven, have revoked or modified her edicts in the manner abovementioned, shall nevertheless be restored on application of the parties on their giving bond with approved sureties to the United States, in a sum equal to the value thereof, to abide the decision of the proper court of the United States thereon; and any such bond shall be considered as satisfied if Great Britain shall on or before the second day of February, one thousand eight hundred and eleven, have revoked or modified her edicts in the manner abovementioned: *Provided also*, That nothing herein contained shall be construed to affect any ships or vessels or the cargoes of ships or vessels wholly owned by a citizen or citizens of the United States, which had cleared out for the Cape of Good Hope, or for any port beyond the same, prior to the tenth day of November, one thousand eight hundred and ten.

J. B. VARNUM,
Speaker of the House of Representatives.
JOHN POPE.
President of the Senate pro-tem.

March 2, 1811

APPROVED—JAMES MADISON.

AN ACT

To enable the Georgetown Potomac Bridge Company to levy money for the object of its incorporation

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the directors of the Georgetown Potomac Bridge Company be and they are hereby empowered to call a general meeting of the stockholders of said company, to be held at Georgetown, in the district of Columbia, by causing public notice to be given of the time and place of such meeting, in the National Intelligencer, and in one of the newspapers printed in each of the cities of New York, Philadelphia and Baltimore, in four successive weeks, the last time at least thirty days before the day of holding the said general meeting. And if, at such general meeting, the stockholders present, by themselves or legal representatives, shall determine to rebuild the bridge at or near the Little Falls of the river Potomac, (for the purpose of erecting which originally was the object of their incorporation) the holders of two thirds of the stock represented at that meeting concurring, then it shall and may be lawful for the directors of said company, or any two of them, and they are hereby empowered to assess upon and collect from the stockholders of the said company such sum and sums of money, as shall be necessary to pay its debts already incurred, and they are hereby empowered to assess upon and collect from the stockholders of the said company, and to rebuild, make and keep in repair the said bridge, together with the road leading thereto from Georgetown, *Provided*, that the whole amount of such assessments shall not exceed twenty-five dollars on each share in the stock of said company.

And of any such assessment and assessments, the said directors shall give public notice to the said stockholders, by advertising the same in the newspapers aforesaid; and the sum and sums which shall be so assessed, the said stockholders are hereby required to pay to the said directors within sixty days after such notice; and on failure thereof, for the space of thirty days after the expiration of the said sixty days, the said directors, or any two of them, are hereby authorised to sell the share or shares of any and every delinquent stockholder, every such sale to be made at public auction in Georgetown aforesaid, on the day specified in said advertisement.

Provided, That no more shares shall be sold than shall be deemed necessary to levy the sum and sums of money which shall be assessed as aforesaid, and that the surplus, if any, arising on any such sales, shall, by the directors aforesaid, be deposited in the bank of Columbia, for the use of the owner or owners of the share or shares so sold. And the said directors, or any two of them, shall transfer, on the books of the said company, to the purchaser or purchasers, the share or shares sold, and if demanded give a certificate or certificates thereof, under their hands and seals, which shall secure to such purchaser or purchasers a valid title to the same.

J. B. VARNUM,
Speaker of the House of Representatives.
GEO: CLINTON.
Vice President of the United States, and President of the Senate.

February 22, 1811.

APPROVED——JAMES MADISON.

THOMAS G. ARMSTRONG,
No. 94, MARKET STREET, BALTIMORE,

HAS on hand a large and general assortment of ladies' morocco and leather *SHOES*, men's fine and coarse do. children's morocco and leather do.—Also—a general assortment of *COMBS*: Ladies' head combs, of the latest patterns—tortoise and mock shells. Fine teeth Ivory combs, pocket combs, riding combs, horse combs, and rack combs,—Also, an extensive assortment of *CUTLERY*, including almost every article of that description Cloth, hair, tooth, and comb brushes of all sizes—pocket books, breast pins, snuff boxes, and a variety of other fancy goods too tedious to mention,—which goods he will sell on reasonable terms for cash only.

September 11, 1810.——7q—&m