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their number as president, who, together with themselves, shall hold office until the next ensuing election, as herein provided for; and five members of said board shall compose a quorum. And in case that an election for directors should not be made when pursuant to this act, it should have been made, the company for that cause shall not be dissolved; and it shall be lawful, within forty days thereafter, to hold and make an election for directors in such manner as the by-laws of the company may prescribe, and the president and directors for the time being shall be continued in office until such election takes place; and in the event of death, resignation, or removal of any director from office his place for the remainder of his term may be filled by the president and directors for the time being in such manner as the by-laws may prescribe."

Vacancies.

Second. That said act be further amended by the addition of a tenth section as follows:

May hold etc., real estate.

"SEC. 10. That said company may lease, purchase, hold and convey real estate, not exceeding in value two hundred and fifty thousand dollars, and such in addition as it may acquire in satisfaction of debts due the corporation, under sales, decrees, judgments, deeds of trust, and mortgages: *Provided*, That any property so acquired in satisfaction of debts due the corporation as above provided, shall not be held or owned by said company for more than five years; but shall be sold and conveyed within that time."

Proviso. Sale of real estate acquired for debts.

Approved, May 11, 1892.

May 12, 1892.

CHAP. 68.—An act to authorize the construction of a bridge across the Missouri River at De Witt, Carroll county, Missouri, and to establish it as a post road.

Brookfield and Northern Railroad Company may bridge Missouri River at De Witt, Mo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Brookfield and Northern Railroad Company, a corporation organized under the laws of the State of Missouri, or its successors or assigns, to construct a bridge across the Missouri River at a point opposite, or as nearly opposite as may be, to the town of De Witt, in the county of Carroll and State of Missouri; that said bridge may be constructed for railway, wagon, and postal service, with single or double track for railway traffic, and which shall be under the conditions and limitations hereinafter specified.

Railway and wagon bridge.

Unobstructed navigation.

SEC 2. That said bridge shall not interfere with the free navigation of said river beyond what may be necessary to carry into effect the rights and privileges herein granted, and in case of any litigation arising under the provisions of this act such litigation may be tried and determined by the circuit court of the United States within whose jurisdiction said bridge is located.

Litigation.

Construction.

SEC. 3. That the bridge hereby authorized to be constructed must be constructed as a high bridge, with unbroken and continuous spans, all spans over the water way to have a clear channel way of not less than four hundred feet and a clear head room of not less than fifty-five feet above high water mark.

Spans.

Lawful structure and post route.

SEC. 4 That any bridge constructed under this act shall be a lawful structure and shall be known as a post road, and the same is hereby declared to be a post road, over which no higher charge shall be made for the transmission of mails, troops, and munitions of war of the Government of the United States or for passenger or freight passing over the same than the rate per mile charged for their transportation over the railroad or public highways leading to the said bridge, and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies. The United States shall have also the right of way over said bridge for postal-telegrap purposes.

Postal telegraph.

Use by other companies.

SEC. 5. That all railway companies desiring to use said bridge shall be entitled to equal rights and privileges in using the same, including

the machinery and fixtures thereto belonging, and also the approaches thereto, upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in interest, in case the parties in interest shall not be able to agree upon such terms and conditions. Terms.

SEC. 6. That the said railway company, before entering upon the construction of said bridge, shall submit to the Secretary of War plans and drawings of said structure, together with a map of the location thereof for one mile above and one mile below said location, giving the topography of the banks of the river, the shore lines at high and low water, the direction and strength of the current of said river at all stages of the water, showing also the bed of the river and the channel, with such other and further information as the Secretary of War may require; which said drawings and other information aforesaid shall be examined by him, and if he shall approve the same he shall so notify the said railway company of such approval, and thereupon said company may proceed to the erection of said bridge. The Secretary of War may make such alterations in such plans as he may deem necessary to the better protection of navigation, and such alterations shall be adopted and paid for by the said railway company or its successors and assigns. The said railway company may at any time make any alterations deemed advisable to be made in said bridge, but must first submit such proposed alterations to the Secretary of War, and his approval shall be first had before they shall be made. Secretary of War to approve plans, etc. Alterations.

SEC. 7. That the said bridge herein authorized to be constructed shall be so kept and managed at all times as to afford proper means and ways for the passage of vessels, barges, or rafts under it both by day and night. There shall be displayed on said bridge from sunset to sunrise such lights and signals as may be directed by the Light-House Board, and such changes may be made from time to time in the structure of said bridge as the Secretary of War may direct, at the expense of said company or its successors and assigns, in order the more effectually to preserve the free navigation of said river, or the said structure shall be altogether removed, if in the judgment of the Secretary of War the public good may require such removal, and without expense or charge to the United States. Aids to navigation. Lights, etc.

SEC. 8. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within two years and completed within four years from the date of the approval of this act. Commencement and completion.

SEC. 9. That the right to alter, amend, or repeal this act is hereby specially reserved. Amendment, etc.

Approved, May 12, 1892.

CHAP. 69.—An act to authorize the construction of a bridge across the Osage River, between the town of Warsaw and the mouth of Turkey Creek, in Benton County, Missouri. May 12, 1892.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Springfield, Sedalia, Marshall and Northern Railroad Company, a corporation organized under the laws of the State of Missouri, or its successors or assigns, to construct a bridge across the Osage River at a point between the town of Warsaw and the mouth of Turkey Creek, in the county of Benton and State of Missouri; that said bridge may be constructed for railway, wagon, and postal service, with single or double track for railway traffic, and which shall be under the conditions and limitations hereinafter specified. Springfield, Sedalia, Marshall and Northern Railroad Company may bridge Osage River between Warsaw and mouth of Turkey Creek, Mo. Railway and wagon bridge.

SEC. 2. That said bridge shall not interfere with the free navigation of said river beyond what may be necessary to carry into effect the rights and privileges herein granted, and in case of any litigation arising under the provisions of this act such litigation may be tried and Unobstructed navigation. Litigation.