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president of the board of directors, who shall also be president of the association, and shall elect one of their number as vice-president, and one of their number as secretary, and one of their number or a member of the association as secretary of the association, and the said secretary of the association shall give bonds with security to said association in such sum as the board of directors may require for the faithful discharge of his duties; and one of their number as treasurer, who shall also give bonds with surety to said association in such sum as the said board of directors may require for the faithful discharge of his trust. At all meetings of the board of directors a majority of the board shall form a quorum. In case of any vacancy in the board of directors, by death, resignation, or otherwise, such vacancy shall be filled by the remaining directors from among the members of said association, who shall serve until the next annual meeting of the association, at which time a successor shall be elected to serve for the remainder of the unexpired term.

Quorum.

Vacancies.

Approved, March 2, 1903.

March 2, 1903.

[Public, No. 128.]

CHAP. 971.—An Act To authorize the Pearl and Leaf Rivers Railroad Company to bridge Pearl River in the State of Mississippi.

Pearl River, Miss. Pearl and Leaf Rivers Railroad Company may bridge, at Smiths Ferry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Pearl and Leaf Rivers Railroad Company, a railroad corporation duly incorporated and organized under the laws of the State of Mississippi, its successors or assigns, be, and is hereby, authorized to construct and maintain a railroad bridge, with single or double track, and approaches thereto, over and across the Pearl River at or near Smiths Ferry, in Lawrence County, State of Mississippi, subject to the conditions and limitations hereinafter specified.

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 from any obstruction or alleged obstruction to the navigation of said stream, such litigation may be tried and determined by the proper circuit or district court of the United States within whose jurisdiction said bridge is located.

Litigation.

Lawful structure and post route.

SEC. 3. That any bridge built under this Act and subject to its limitations shall be a lawful structure, and shall be recognized and known as a post route, upon which no higher charge shall be made for the transmission of mails and the troops and munitions of war of the United States over the same than the rate per mile paid for the transportation over the railroad or approaches leading to the said bridge; and it shall enjoy the rights and privileges of other post-roads in the United States, and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridge and its approaches for postal, telegraph, and telephone purposes.

Telegraph, etc., rights.

Drawbridge.

SEC. 4. That said bridge over said stream shall be constructed as a draw bridge. The drawspan shall be over the main channel of the said stream at an accessible navigable point and the openings on each side of the pivot pier shall be not less than one hundred and fifteen feet in the clear, unless otherwise expressly directed by the Secretary of War, and if so directed shall be according to such direction, and the said openings shall be accessible at all stages of water; and the spans shall be not less than thirty-six feet above extreme low water, as understood at the point of location, to the lowest part of the superstructure of the bridge; and the piers and draw shall be parallel with,

and the bridge shall be at right angles to, the current of the stream; and the draw shall be opened promptly, upon reasonable signals, for the passage of boats and other river craft; and said company, its successors or assigns, shall maintain at its own expense, from sunset till sunrise, throughout the season of navigation, such lights or other signals on said bridge as the Light-House Board may prescribe.

Opening draw.
Lights, etc.

SEC. 5. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains over the same and over approaches thereto, upon payment of a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies, or any of them, desiring such use shall fail to agree upon the sum or sums to be paid and upon the rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

Use by other roads.

Compensation.

SEC. 6. That any bridge authorized to be constructed under this Act shall be built under and subject to such regulations for the security of navigation of said Pearl River as the Secretary of War shall prescribe; and to secure that object the said company shall submit to the Chief of Engineers and the Secretary of War for their examination and approval the plans and a design drawing of the bridge, and a map of location giving for the space of one-half mile above and one-half mile below the proposed location the topography of the banks of the river, the shore lines at high and low water, the direction and strength of currents at all stages, and soundings, accurately showing the bed of the stream and the location of any other bridge or bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until said plan and location of the bridge are approved by the Chief of Engineers and the Secretary of War said bridge shall not be built, or commenced, and no changes shall be made in said bridge during the progress of construction nor after completion, unless approved by the Chief of Engineers and the Secretary of War; and the said company shall, at its own expense, make from time to time such changes in said bridge as the Secretary of War may order in the interest of navigation.

Secretary of War to approve plans, etc.

Changes.

SEC. 7. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

SEC. 8. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date of approval hereof.

Time of construction.

Approved, March 2, 1903.

CHAP. 972.—An Act To amend an Act entitled "An Act authorizing the construction of a bridge across the Cumberland River at or near Carthage, Tennessee," approved March second, nineteen hundred and one.

March 2, 1903.
[Public, No. 129.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act entitled "An Act authorizing the construction of a bridge across the Cumberland River at or near Carthage, Tennessee," approved March second, nineteen hundred and one, be, and the same is hereby, revived and declared to be in full force and effect, and that section five of said Act is hereby amended so as to read as follows: "That this Act shall be null and void if said bridge is not commenced within one year and completed within three years from the first day of April, nineteen hundred and three."

Cumberland River.
Time extended for bridging, at Carthage, Tenn.
Vol. 31, p. 958, amended.

Approved, March 2, 1903.