

January 27, 1905.
[H. R. 17577.]

[Public, No. 30.]

CHAP. 281.—An Act Authorizing the Lindsey Lumber Company, a corporation of Escambia County, Alabama, to construct a bridge across Conecuh River at or near the town of Pollard, in said county and State.

Conecuh River,
Ala.
Lindsey Lumber
Company may bridge,
near Pollard, Ala.

Secretary of War to
approve plans, etc.

Unobstructed navi-
gation.

Lights, etc.

Changes.

Lawful structure
and post route.

Telegraph, etc.,
rights.

Time of construc-
tion.

Amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Lindsey Lumber Company, a corporation of Escambia County, in the State of Alabama, be, and are hereby, authorized to construct, maintain, and operate a bridge across Conecuh River, in connection with a private railroad extending into their timbered lands; said bridge to be located at a point suitable to the interests of navigation at or near a point above the county bridge and near to the town of Pollard, in said State and county.

SEC. 2. That said bridge shall be built and located under and subject to such regulations for the security of navigation as the Secretary of War may prescribe; and to secure that object the Lindsey Lumber Company shall submit for his examination designs and drawings of the bridge, and maps of the 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 the currents, and the soundings, accurately showing the bed of the river, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plans and location are approved by him the bridge shall not be commenced or built; and should any change be made in said bridge before or after completion, such change shall be likewise subject to the approval of the Secretary of War.

SEC. 3. That said bridge shall be kept and managed so as to offer reasonable and proper means for the passage of vessels through or under the same; and for the safety of vessels passing at night there shall be displayed on said bridge by the owners thereof, at their own expense, such lights or other signals as the Light-House Board may prescribe. And any changes in said bridge which the Secretary of War may at any time order in the interest of navigation shall be made by the owners thereof at their own expense.

SEC. 4. That the bridge constructed, maintained, and operated under this Act, and according to its limitations, shall be a lawful structure, and shall be recognized and known as a post route, upon which also no higher charge shall be made for the transportation over the same of the mails, troops, and munitions of war of the United States than the rate per mile paid for transportation of said mails, troops, and munitions of war over public highways leading to said bridge; and the United States shall have the right of way for postal, telegraph, telephone, and other purposes over said bridge.

SEC. 5. That this Act shall be null and void if actual construction of the said bridge be not commenced in one year and completed in three years from the date hereof.

SEC. 6. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, January 27, 1905.

January 28, 1905.
[H. R. 2871.]

[Public, No. 31.]

CHAP. 285.—An Act To incorporate the Mutual Investment Fire Insurance Company of the District of Columbia.

District of Columbia.
Mutual Investment
Fire Insurance Com-
pany incorporated.
Incorporators.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Richard J. Beall, Andrew O. Nash, William O. Denison, R. O'Neill, Bernard Leonard, Howard Beall, and John R. Wright, all of the District of Columbia, with their associates and successors, are hereby created a body politic and corporate by the name and style of the "Mutual Investment Fire Insur-

ance Company of the District of Columbia," and by that name shall have perpetual succession, with power to sue and be sued, plead and be impleaded, in courts of law and equity; to adopt a common seal, and the same to break, alter, and renew at pleasure; to ordain and establish by-laws and regulations; and generally to do such acts and things as may be necessary to carry into effect the provisions of this charter and promote the purposes and designs of said company.

Powers.

SEC. 2. That the purposes and designs of said company shall be to insure, against loss or damage by fire, the respective dwelling houses and other buildings, and the furniture and every description of property belonging to its members.

Purposes.

SEC. 3. That the assets of said company shall consist of the premium notes given by the insured, the cash paid as interest thereon, and all property and profit derived from the investment or use of its income or assets, but the reserve fund of said company shall not, at any one time, exceed two hundred thousand dollars, exclusive of the real estate it may hold as hereinafter authorized.

Assets.

Maximum reserve fund.

SEC. 4. That the said premium notes shall be payable on demand, and shall each constitute and be a lien to the amount thereof respectively upon the interest and estate, legal and equitable, of the insured in the said buildings at risk in said company, and upon the land, premises, and appurtenances thereto belonging: *Provided*, That the lien upon personal property shall continue only while the same remains in the ownership of the person insured: *And provided also*, That said company shall file with the recorder of deeds for the District of Columbia a memorandum of the name of the person insured, a description of the property, and the amount of the premium note unpaid, and said lien shall commence from the time of filing said memorandum. Judgment upon said note may be entered upon confession by virtue of a warrant of attorney, and execution may at any time be had thereon; but the privileges, immunities, and franchises granted by this charter shall be confined to the District of Columbia.

Premium notes to constitute liens.

Providos.
Life of lien upon personal property.
Filing memorandums.

Judgments.

SEC. 5. That all persons who shall hereafter insure with said company, and their executors, administrators, and assigns continuing to be so insured, shall thereby become members thereof during the period they shall be and remain so insured, and no longer, and the word "person" as used in this charter shall be held to include corporations also.

Membership.

SEC. 6. That each and every member of said company shall have full power to withdraw therefrom, in whole or in part, at any time, upon application in writing to the proper officer thereof, and payment of all arrearages of assessments and interest that may then be due and owing to said company from said member. Upon such application, the said officer shall cancel the insurance or insurances designated in said application, together with the premium note or notes held by said company on account of said canceled insurance. Said officer shall also return any amount of money which may be due said member on the books of said company on account of said canceled insurance, and thereafter said member shall be debarred from all claim on said company on account of such canceled insurance accruing subsequent to such withdrawal and cancellation. But no premium note or notes shall be canceled, or in any manner discharged or given up until all assessments thereon on account of liabilities incurred before or at the time of such withdrawal shall be fully ascertained and paid.

Withdrawal from membership.

Cancellation of insurance.

Return of moneys due.

Payment of assessments.

SEC. 7. That the affairs of said company shall be conducted by a board of seven trustees, who shall be elected at the annual meeting of the members, and shall continue in office until their successors are elected and qualified. Not less than a majority of said board shall constitute a quorum to do business, but a less number may adjourn from time to time. Vacancies happening in said board, otherwise than

Board of trustees.

Quorum.

Vacancies.

- by removal, as hereinafter provided, may be filled by the remaining trustees for the residue of the term for which they were elected. Said board shall choose one of their number as president and one as vice-president; and they shall also appoint such other officers as may be necessary for conducting the affairs of said company.
- Selection of officers.** **SEC. 8.** That the seven persons first named in this charter shall be the board of trustees of said company until the first annual meeting, and until their successors are chosen and qualified. Such of them as may be present at their first meeting may proceed to organize by electing a president, vice-president, and other officers; and as soon thereafter as practicable said board shall adopt by-laws, provide the necessary books, and otherwise prepare the company for the transaction of business, and thereafter said board shall exercise a general superintendence of the affairs of the company: *Provided*, That the said by-laws shall only be adopted by the concurrent vote of at least two-thirds of the whole board of trustees, and when once adopted any alteration or amendment shall only be made at an annual meeting of the company, notice of such proposed alteration or amendment having been filed in the office of the company at least thirty days before the day fixed for said annual meeting. A majority of two-thirds of the votes cast shall be necessary to the adoption of any such alteration or amendment, but when thus adopted the same shall be binding on all the members of the company.
- Annual meeting.**
- Election of officers.**
- By-laws, etc.**
- Proviso.*
Adoption of by-laws.
- Amendments.**
- Notice.**
- Rates of insurance, etc.** **SEC. 9.** That the board of trustees shall, by general rules, determine the rates of insurance, the sum to be insured, and the rate of interest to be paid upon the premium notes, which latter, however, shall not exceed three per centum per annum. No more than five thousand dollars shall be insured on any one risk, unless the premium notes shall amount to over one hundred thousand dollars; and in that case no one risk shall exceed five per centum on the whole amount of premium notes.
- Risk limits.**
- Deposit of promissory notes.** **SEC. 10.** That every person who shall become a member of said company by effecting insurance therein shall deposit his promissory note, payable on demand, for such sum, and upon such interest, not exceeding three per centum per annum, as may be required under the general rules prescribed by the board of trustees; and said notes shall be liable to assessment pro rata at any time when the trustees shall deem the same requisite for the payment of losses or the current expenses of the company; and no policy shall bind the company until such note has been given.
- Notes liable to pro rata assessments.**
- Payment of losses, etc.** **SEC. 11.** That whenever the board of trustees, for the purposes of paying the losses or current expenses, shall deem it necessary to call for the payment of any portion of the principal of the premium notes, they shall settle and determine the sum to be paid by the several members (but always in proportion to the original amount of the respective premium notes). Notices of such call shall be given to the members in such manner as the by-laws shall prescribe; and if any member shall neglect or refuse to pay the sum assessed upon said member for the space of thirty days after receiving such notice, the company may proceed to collect the whole amount of such premium note, together with costs; and the amount of the note, less the expense of collecting the same, shall be placed in the treasury of the company, subject to the same liabilities as said note would have been subject to. But nothing in this charter contained shall be construed as requiring losses and expenses to be paid exclusively from assessments on premium notes, but they may be paid out of such assets as the board of trustees shall, by general rules, prescribe.
- Notice.**
Failure to pay assessments.
- Losses, etc., not to be paid exclusively from assessments.**
- Claims of loss, etc., by fire.** **SEC. 12.** That all just and lawful claims of members for loss or damage sustained by fire shall be certified in accordance with the terms of the policy within sixty days after due notice of the loss has been filed

with the company. No suit shall be brought upon any such claim for damages until after the expiration of said sixty days, and no member of the company shall be incompetent as a witness in such suit on account of his said membership.

SEC. 13. That a general meeting of said company shall be held annually at such time and place as shall be designated in the by-laws. The president may, at any time, call a special meeting of the company, and shall do so at the request in writing of fifty members. The election of trustees shall be held at the annual meeting, and shall be by ballot, and each member shall have one vote on each risk, which must be deposited by the policy holder. At least two weeks' previous notice of each annual or special meeting shall be given by publication in two newspapers of general circulation in the city of Washington: *Provided*, That at any called meeting of the company the trustees, or any of them, may be removed by a vote of three-fourths of the members present and voting, and the vacancies thus created may be filled at such meeting for the unexpired term; but notice of such proposed action shall be given in the call for the meeting.

SEC. 14. That the board of trustees of said company shall cause to be published annually, in some newspaper of general circulation in the city of Washington, and at least two weeks prior to the annual meeting of the members, a statement of its financial condition, in which shall be shown the amount of premium notes and cash on hand, the amount of securities held by the company, the amount of losses, if any, during the previous year, and such other items relating to the business of the company as said board may think proper.

SEC. 15. That nothing in this charter shall be construed to grant banking privileges or the right to issue any note to circulate as currency or money. It shall, however, be lawful for said company to employ and improve all moneys received by it and the profits thereon in such manner as the trustees may deem best for the interest of the company; but the said company shall not purchase and hold real estate, at any one time, in excess of a cash value of fifty thousand dollars: *Provided*, That this shall not include any purchase to protect the interests of the company at sales under trusts, mortgages, judgments, or decrees.

SEC. 16. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, January 28, 1905.

Meetings.

Election of trustees.

Publication of notice.

Proviso.
Removal of trustees.

Vacancies.

Publication of financial statement.

Banking privileges not granted.

Investment of funds.

Real estate holdings limited.

Proviso.
Purchases under trusts, etc., not included.

Amendment.

CHAP. 286.—An Act To authorize the construction of a bridge across Sunflower River in Sharkey County, Mississippi.

January 28, 1905.
[H. R. 17100.]

[Public. No. 32.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Delta Southern Railway, a corporation organized and existing under and by virtue of the laws of the State of Mississippi, be, and is hereby, authorized to construct, maintain, and operate a railroad bridge, with as many tracks as it may deem necessary for railroad traffic, across the Sunflower River at a point suitable to the interests of navigation in the county of Sharkey and State of Mississippi.

Sunflower River, Miss.
Delta Southern Railway may bridge, in Sharkey County.

SEC. 2. That the bridge authorized to be constructed under this Act shall be located and built under and subject to such regulations for the security of the navigation of said river as the Secretary of War shall prescribe, and to secure that object the said corporation shall submit to the Secretary of War for his examination and approval a design and drawing of the bridge and a map of the location, giving, for the space of one mile above and below the proposed location, the depth

Secretary of War to approve plans, etc.