

May 19, 1902.

[Public, No. 117.]

CHAP. 816.—An Act For the protection of cities and towns in the Indian Territory, and for other purposes.

Indian Territory.
Certain towns au-
thorized to issue
bonds, etc., for public
improvements.

Limit of issue.

Assent of two-thirds
of voters required.

Provisos.
Restrictions.

Census to be taken
before election.

Bonds.

Interest.

Annual tax.

Proviso.

Limit of additional
bonds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any incorporated city or town in the Indian Territory having a population of two thousand or more is hereby authorized to issue bonds and borrow money thereon, to be used for the construction of sewers and waterworks and the building of schoolhouses; such bonds not to exceed an amount, the interest on which at five per centum per annum would be liquidated by a tax of five mills upon the dollar of the valuation of the taxable property in such city or town, to be ascertained by the last assessment for purposes of taxation; that before such bonds shall be issued the same shall be authorized by a two-thirds majority of the qualified voters of such city or town voting at an election held for that purpose, notice of which shall be published for four consecutive weeks prior thereto in a newspaper of general circulation published in such municipality: *Provided,* That such bonds shall not be issued until it shall be made to appear to the satisfaction of the judge of the United States court for the judicial district in which such municipality is located, by petition of the mayor and council thereof, that all the requirements of this section have been complied with, who shall thereupon cause to be entered upon the minutes of his court a judgment or decree reciting the facts as he finds them to be: *Provided, however,* That before any election shall be held for the purposes herein named a census shall be taken and the population of said municipality ascertained by some suitable person, or persons, appointed for that purpose by the said judge of the district court, who shall make a sworn return to said judge showing the number of inhabitants thereof, and that the judgment or decree shall set forth the population and taxable wealth of the municipality, and said order or decree shall be printed on said bond and made a part thereof and shall be final and conclusive against said municipality in any litigation on said bonds.

SEC. 2. That such bonds shall contain all necessary and usual provisions expressing the contract, shall be signed by the mayor, and countersigned by the treasurer of such municipality, who shall keep a proper record of such bonds. Said bonds shall not bear a rate of interest exceeding five per centum per annum, payable semiannually, and none of said bonds shall be sold at less than their par value.

SEC. 3. That any municipality incurring any indebtedness for the purposes provided for in this Act shall, by ordinance which shall be irrevocable, provide for the collection of an annual tax sufficient to pay the interest on such bonds, as the same falls due, and also to pay and discharge the principal thereof within twenty years from the date of contracting the same: *Provided,* That if any municipality shall have the authority under any special Act to issue its bonds, the amount of the bonds issued under the special Act shall be first deducted, and there shall only be issued under this Act such additional bonds as shall not exceed the limit provided in this Act.

Approved, May 19, 1902.

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[Public, No. 118.]

CHAP. 817.—An Act To apportion the term of office of senators elected at the first general election in the Territory of Hawaii.

Hawaii.
Term of office of
senators, first election.
Vol. 31, p. 146.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several senators elected in the First, Second, Third, and Fourth senatorial districts at the first general election held in the Territory of Hawaii shall, except as hereinafter provided, each hold office for the term of four years from the date of such election.

SEC. 2. That for the First senatorial district N. Russell and J. D. Paris shall each hold office as a senator for such district for the term of two years.

First district.

That for the Second senatorial district William White shall hold office as a senator for such district for the term of two years.

Second district.

That for the Third senatorial district D. Kanuha, George R. Carter, and William C. Achi shall each hold office as a senator for such district for the term of two years.

Third district.

That for the Fourth senatorial district I. H. Kahilina shall hold office as a senator for such district for the term of two years.

Fourth district.

Approved, May 19, 1902.

CHAP. 818.—An Act To authorize the construction of a bridge across the Tennessee River in Marion County, Tennessee.

May 20, 1902.

[Public, No. 119.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Memphis-Chattanooga Railway, a corporation organized and existing under and by virtue of the laws of the State of Tennessee, 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 Tennessee River at a point suitable to the interests of navigation between Mullens Cove and Oates Island in the county of Marion and State of Tennessee.

Tennessee River, Tenn. Memphis Chattanooga Railway may bridge.

Location.

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 and currents of the river at all points and the location of any other bridge or bridges, together with all other information touching said bridge and river as may be deemed requisite by the Secretary of War to determine whether said bridge when built will conform to the provisions of this Act and cause no serious obstruction to the navigation of the river or injuriously affect the flow of water.

Secretary of War to approve plans, etc.

SEC. 3. That the Secretary of War is hereby authorized and directed, upon receiving such plan and map, and upon being satisfied that a bridge built on such plan and at such locality will conform to the provisions of this Act and cause no serious obstruction to the navigation of the river or injuriously affect the flow of water, to notify the said corporation that he approves the same; and upon receiving such notification the said corporation may proceed to the erection of said bridge, conforming strictly to the approved plan and location; but until the Secretary of War shall approve the plan and location of said bridge, and notify the said corporation of the same in writing, the bridge shall not be built or commenced, and should any change be made in the plan of the bridge during the progress of the work thereon, or after completion, such change shall be subject likewise to the approval of the Secretary of War; and the said bridge shall be changed by the said company at its own expense whenever the Secretary of War shall so direct in the interest of navigation.

Notification of approval.

Changes.

SEC. 4. That any bridge constructed under this Act shall be a lawful structure, and shall be known as a post road, for which no higher charge shall be made for the transportation of mail, troops, and munitions of war or other property of the United States over the same than the rate per mile charged for such transportation over the railways

Lawful structure and post route.