

[CHAPTER 244]

AN ACT

To amend the Act entitled "An Act to regulate proceedings in adoption in the District of Columbia", approved August 25, 1937.

June 6, 1940
[H. R. 7084]
[Public, No. 551]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act entitled "An Act to regulate proceedings in adoption in the District of Columbia" be amended by adding thereto the following new sentence: "If the birth occurred outside of the District of Columbia, the clerk of the court shall, upon petition by the adopter, furnish him with a certified copy of the final decree of adoption."

District of Columbia.
Final decree of adoption.
50 Stat. 807.
15 D. C. Code,
Supp. V, § 1d.

Approved, June 6, 1940.

[CHAPTER 245]

AN ACT

Authorizing the Bradenton Company, its successors and assigns, to construct, maintain, and operate a toll bridge across Sarasota Pass, and across Longboat Pass, county of Manatee, State of Florida.

June 6, 1940
[H. R. 7615]
[Public, No. 552]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Bradenton Company, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across Sarasota Pass, and across Longboat Pass, connecting up the south end of Anna Maria Key with the north end of Longboat Key, at a point suitable to the interests of navigation, in the county of Manatee, State of Florida, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Sarasota Pass and Longboat Pass, Fla.
Bridge authorized across.

SEC. 2. There is hereby conferred upon the Bradenton Company, its successors and assigns, all rights and powers to enter upon lands and to acquire, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches.

34 Stat. 84.
33 U. S. C. §§ 491-498.
Right to acquire real estate, etc.

SEC. 3. The said Bradenton Company, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of tolls so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Toll charges.

SEC. 4. After the completion of said bridge, as determined by the Secretary of War, either the State of Florida, any public agency, or political subdivision thereof, within or adjoining which any part of the bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of twenty years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring

Acquisition of bridge by State, etc., after completion.

After expiration of twenty years after completion.

such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

Tolls.

Application of, to operation, sinking fund, etc.

Maintenance as free bridge after amortizing costs, etc.

Record of expenditures and receipts.

Transfer of title to State after 25 years, if costs, etc., are amortized.

Maintenance as free bridge.

Statement of actual costs, etc., filing.

Investigation of costs within three-year period.

A availability of records.

Secretary's findings conclusive, exception.

Right to transfer, etc., rights, powers, and privileges.

SEC. 5. If such bridge shall be taken over or acquired by the State or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this Act, and if tolls are thereafter charged for the use thereof, the rates of tolls shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, or to amortize the bonds or other securities issued for that purpose with reasonable financing costs, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 6. At any time after twenty-five years from the date such bridge shall have been completed, if the tolls from such bridge have produced sufficient revenue to amortize the bonds and other securities issued in connection with the construction and maintenance of such bridge and its approaches with reasonable interest and financing costs, and if such bridge shall not have been taken over or acquired by the State of Florida or by any political subdivision or public agency thereof under section 4 of this Act, then all the right, title, and interest of the said Bradenton Company, its successors and assigns, in such bridge and its approaches, and any interest in real estate necessary therefor, shall be turned over to the State of Florida, upon proper demand. Such bridge shall thereafter be maintained and operated by the State of Florida or by any political subdivision or public agency thereof free of tolls.

SEC. 7. The Bradenton Company, its successors and assigns, shall within ninety days after the completion of such bridge file with the Secretary of War and with the highway department of such State a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of such State shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the cost alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Bradenton Company, its successors and assigns, shall make available all records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this Act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 8. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act prior to acquisition of such rights, powers, and privileges by the State of Florida or

by any political subdivision or public agency thereof pursuant to section 4 or section 6 of this Act is hereby granted to the Bradenton Company, its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 9. The Bradenton Company shall furnish the Secretary of War with a certified copy of its charter and any amendments thereto evidencing proof that it is a corporation organized, among other things, for the promotion and organization of toll bridges, toll-bridge districts, bridge authorities and for harbor authorities, each and any of which shall be municipal in kind and nature, and from any or either of which this company shall receive no promotional profit, and further, shall receive no other profit, other than in direct proportion to such investment or investments as this company may make in any or either of such enterprises.

Certified copy of charter and amendments to Secretary of War.

SEC. 10. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Reservation.

SEC. 11. The word "bridge" where it appears in this Act, may be construed either in the singular or plural so as to apply to either or both of such bridges.

"Bridge" defined.

Approved, June 6, 1940.

[CHAPTER 246]

AN ACT

To provide increased pensions for veterans of the Regular Establishment with service-connected disability incurred in or aggravated by service prior to April 21, 1898.

June 6, 1940
[H. R. 7733]
[Public, No. 553]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effective on the first day of the month following the month in which this Act is enacted, the rates of pension prescribed by paragraph II of part II of Veterans Regulation Numbered 1 (a), as amended, shall be payable to veterans of the Regular Establishment entitled to pensions under the general pension law on account of service-connected disabilities incurred in or aggravated by service prior to April 21, 1898: *Provided,* That this Act shall not be construed to reduce any pension under any Act, public or private.

Pensions.
Rates for designated veterans.

38 U. S. C. (1934 ed.), Supp. V, p. 997.

38 U. S. C., ch. 2; Supp. V, ch. 2.

Proviso.
No reduction in pension.

Approved, June 6, 1940.

[CHAPTER 247]

AN ACT

To amend section 79 of the Judicial Code, as amended.

June 6, 1940
[H. R. 8373]
[Public, No. 554]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 79 of the Judicial Code, as amended (U. S. C., 1934 edition, Supp. IV, title 28, sec. 152), is amended to read as follows:

Judicial Code, amendment.
28 U. S. C. § 152; Supp. V, § 152.

"The State of Illinois is divided into three districts, to be known as the northern, southern, and eastern districts of Illinois. The northern district shall include the territory embraced on the 1st day of July 1910 in the counties of Cook, De Kalb, Du Page, Grundy, Kane, Kendall, Lake, La Salle, McHenry, and Will, which shall constitute the eastern division; also the territory embraced on the date last mentioned in the counties of Boone, Carroll, Jo Daviess, Lee,

Illinois judicial districts.
Northern district.