

[CHAPTER 83]

AN ACT

Granting the consent of Congress to the Mississippi State Highway Commission to construct, maintain, and operate a free highway bridge across the Pearl River at or near Carthage, in the State of Mississippi.

April 11, 1940
[S. 3209]
[Public, No. 452]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Mississippi State Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across the Pearl River, at a point suitable to the interests of navigation, at or near Carthage, Leake County, Mississippi, 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.

Pearl River.
Bridge authorized
across, at Carthage,
Miss.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Right reserved.

Approved, April 11, 1940.

[CHAPTER 96]

JOINT RESOLUTION

To extend the authority of the President under section 350 of the Tariff Act of 1930, as amended.

April 12, 1940
[H. J. Res. 407]
[Pub. Res., No. 61]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the period during which the President is authorized to enter into foreign-trade agreements under section 350 of the Tariff Act of 1930, as amended by the Act (Public, Numbered 316, Seventy-third Congress) approved June 12, 1934, is hereby extended for a further period of three years from June 12, 1940.

Foreign-trade
agreements.
Authority of the
President to enter in-
to, extended.
48 Stat. 943.
19 U. S. C. §§ 1351-
1354; Supp. V, §§ 1351,
1352.

Approved, April 12, 1940.

[CHAPTER 97]

AN ACT

To amend the joint resolution creating the Niagara Falls Bridge Commission.

April 12, 1940
[H. R. 9016]
[Public, No. 453]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution creating the Niagara Falls Bridge Commission and authorizing said Commission to construct, maintain, and operate a bridge across the Niagara River at or near the city of Niagara Falls, New York, approved June 16, 1938 (52 Stat. 767, ch. 490), as amended by the Act of July 25, 1939 (53 Stat. 1083), be, and is hereby, amended as follows:

Niagara Falls
Bridge Commission.

Provisions relating
to, amended.

Insert in the third from last sentence of section 4 of said joint resolution, between the words "for" and "twenty-four months", the words "not exceeding".

Interest.

SEC. 2. Section 6 of said joint resolution, as amended, is further amended in its entirety so as to read as follows:

"SEC. 6. Title to the bridge structure, exclusive of the approaches thereto, shall remain in the Commission until payment of the bonds and the interest thereon, or until a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, whereupon title to said bridge shall be conveyed to the State of New York and to the Canadian interests in the manner hereinafter provided. When, however, the State of New York shall be authorized by law to accept the same the Commission shall deliver to said State

Title to bridge structure.

Conveyance of inter-
ests.

Exception.	deeds or other suitable instruments of conveyance of the interests of the Commission in all properties or rights situated in said State theretofore acquired, other than said bridge structure, and title to all properties or interests in properties situated in the State of New York thereafter acquired, other than said bridge structure, shall be taken by the Commission in the name of said State; and when the Dominion of Canada, or any province, municipality, or agency thereof (herein referred to as the Canadian interests), shall be authorized by law to accept the same, the Commission shall deliver to such Canadian interests deeds or other suitable instruments of conveyance of the interests of the Commission in all properties or rights situated in the Dominion of Canada theretofore acquired, other than said bridge structure, and title to all properties or interests in properties situated in the Dominion of Canada thereafter acquired shall be taken by the Commission in the name of such Canadian interests. All such conveyances shall be subject to the following conditions:
Conditions.	
Rights and functions of Commission. Bridge construction; time limitation.	“(a) That the Commission shall have the right to the use of all such properties for the construction and operation of the bridge. Any Act to the contrary notwithstanding, the Commission shall commence the construction of such bridge on or before June 17, 1940, and shall complete said bridge within three years from said date;
Operation; application of revenues.	“(b) That the Commission shall have the exclusive right to operate such bridge and shall be entitled to receive and apply the revenues derived from the operation of said bridge in the manner provided in said Act of June 16, 1938, and Acts amendatory thereof, so long as any bonds or the interest thereon, payable out of such revenues, shall remain unpaid;
52 Stat. 769; 53 Stat. 1063.	
Conveyance of title, etc., upon payment of bonds.	“(c) That upon payment of all bonds issued by the Commission and the interest thereon, or after a sinking fund sufficient for such payment shall have been provided and held for that purpose, the Commission shall deliver deeds or other suitable instruments of conveyance of all title and interest of the Commission in and to that part of the bridge which is located within the United States to the State of New York, and shall deliver deeds or other instruments of conveyance of all title and interest in the Commission in that part of the bridge which is located within the Dominion of Canada to the Canadian interests, and thereafter the bridge shall be maintained and operated by the State of New York and by the Canadian interests in such manner as they may agree upon as a free, public bridge.
Operation by Commission; condition.	“If either the State of New York or the Canadian interests shall not be authorized to accept title to the above-described properties under such conditions, then title to all such properties shall be in the Commission, and after payment of the bonds issued by the Commission and the interest thereon, the Commission shall continue to own, maintain, and operate the bridge, and shall charge rates of tolls which shall be so adjusted as to provide a fund not exceeding the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management.
Taxation.	“The bridge hereby authorized or the income therefrom shall be subject to Federal, State, municipal, or local taxation only to the extent that a like structure or the income therefrom owned and operated by a public authority or public agency of the State of New York shall be subject to taxation. The bonds or obligations of the Commission, from time to time outstanding, and the income derived therefrom shall be subject to taxation in the hands of the holders thereof.”
Bonds, etc.	SEC. 3. That portion of section 8 of said public joint resolution as so amended be further amended by striking out the third sentence thereof reading, “After all bonds and interest thereon * * * Niagara Falls, Ontario, Canada”, and substituting in lieu thereof:
52 Stat. 770; 53 Stat. 1063.	

"If the Commission shall have conveyed all of its properties and rights to the State of New York and to the Canadian interests, as provided in section 6 hereof, the Commission shall be dissolved and shall cease to have further existence, after all bonds issued by the Commission and the interest thereon shall have been paid, and all other obligations of the Commission paid or discharged, or provision for all such payments shall have been made, as hereinbefore provided. In the event that construction of such bridge is not commenced by the Commission and carried to completion within the times prescribed by section 6 hereof, the Commission shall be dissolved and shall cease to have further existence by an order of the comptroller of the State of New York, made on his own initiative or upon application of the Commission or any member or members thereof, but only after a public hearing in the city of Niagara Falls, notice of the time and place of which hearing and the purpose thereof shall have been published once, at least thirty days before the date thereof in a newspaper published in the city of Niagara Falls, New York, and in a newspaper published in the city of Niagara Falls, Ontario, Canada."

Approved, April 12, 1940.

Dissolution.

[CHAPTER 100]

AN ACT

To provide for terms of the District Court of the United States for the Western District of Arkansas at Fayetteville.

April 17, 1940
[H. R. 7421]
[Public, No. 454]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsections (a), (b), and (c) of section 71 of the Judicial Code, as amended (U. S. C., title 28, sec. 144 (a), (b), and (c)), be and they are hereby, amended to read as follows:

Judicial Code,
amendments.
36 Stat. 1106.
Post, p. 302.

"SEC. 71. (a) The State of Arkansas is divided into two districts, to be known as the western and eastern districts of Arkansas.

Arkansas judicial
districts.

"(b) The western district shall include five divisions constituted as follows: The Texarkana division, which shall include the territory embraced on July 1, 1920, in the counties of Sevier, Howard, Little River, Pike, Hempstead, Miller, Lafayette, and Nevada; the El Dorado division, which shall include the territory embraced on such date in the counties of Columbia, Ouachita, Union, Ashley, Bradley, and Calhoun; the Fort Smith division, which shall include the territory embraced on such date in the counties of Polk, Scott, Logan, Sebastian, Franklin, Crawford, and Johnson; the Harrison division, which shall include the territory embraced on such date in the counties of Baxter, Boone, Carroll, Marion, Newton, and Searcy; and the Fayetteville division, which shall include the territory embraced on such date in the counties of Benton, Madison, and Washington.

Western district.
Texarkana division.

El Dorado division.

Fort Smith division.

Harrison division.

Fayetteville divi-
sion.

Terms of court.

"(c) Terms of the district court for the Texarkana division shall be held at Texarkana on the second Mondays in May and November; for the El Dorado division, at El Dorado on the third Mondays in April and October; for the Fort Smith division, at Fort Smith on the second Mondays in January and June; for the Harrison division, at Harrison on the first Mondays in April and October; and for the Fayetteville division at Fayetteville on the second Mondays in March and October: *Provided*, That suitable rooms and accommodations for holding court at Fayetteville are furnished without expense to the United States: *And provided further*, That nothing in this section shall be construed to prevent the provision of quarters for the officers

Provisos.
Rooms, etc., at Fayetteville.
Accommodations in new Federal building.