

shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. 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.

Record of expenditures and receipts.

SEC. 4. The Sunbury Bridge Company, a corporation organized under the laws of the State of Pennsylvania, its successors and assigns, shall within ten days after the completion of such bridge file with the Secretary of War, and with the highway department of the State of Pennsylvania, 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 at the request of the highway department of the State of Pennsylvania 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 costs alleged in the statement of cost 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 Sunbury Bridge 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 construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this Act, subject only to review in a court of equity for fraud or gross mistake.

Sworn statement of construction costs, etc., to be filed after completion.

Examination by Secretary of War.

Findings of Secretary conclusive.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the Sunbury Bridge 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.

Right to sell, etc., conferred.

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

Amendment.

Approved, March 7, 1928.

CHAP. 141.—An Act To provide for the purchase of horses and mules for the Military Establishment.

March 7, 1928.
[H. R. 7195.]
[Public, No. 104.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the number of horses purchased for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted (including the purchase of animals for breeding purposes), shall be limited to the actual needs of the mounted service, including reasonable provision for remounts. When practicable, horses and mules shall be purchased in the open market at all military posts or stations, when needed, within a maximum price to be fixed by the Secretary of War. No horse purchased shall be below the standard set by Army regulations for Cavalry and Artillery horses, except when purchased as remounts or for instruction of cadets at the United States Military Academy, or except when otherwise

Army. Purchase of horses and mules for, limited.

Open market purchases.

Standard required.

Polo ponies limited. specifically authorized by the Act making appropriations for such purposes. In no case shall any polo ponies be purchased except for the United States Military Academy, and such ponies shall not be used at any other place.

Approved, March 7, 1928.

March 7, 1928.

[H. R. 6989.]

[Public, No. 105.]

CHAP. 142.—An Act To amend the Hawaiian Homes Commission Act, 1920, approved July 9, 1921, as amended by Act of February 3, 1923.

Hawaiian Homes Commission.
Vol. 42, p. 110, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 204 of the "Hawaiian Homes Commission Act, 1920" is hereby amended to read as follows:

Lands to be disposed of as home lands.

"**SEC. 204.** Upon the passage of this Act all available lands shall immediately assume the status of Hawaiian home lands and be under the control of the commission to be used and disposed of in accordance with the provisions of this title, except that:

Restriction on leased lands.
Vol. 42, p. 116.

"(1) In case any available land is under lease by the Territory of Hawaii, by virtue of section 73 of the Hawaiian Organic Act, at the time of the passage of this Act, such land shall not assume the status of Hawaiian home lands until the lease expires or the Commissioner of Public Lands withdraws the lands from the operation of the lease. If the land is covered by a lease containing a withdrawal clause, as provided in subdivision (d) of section 73 of the Hawaiian Organic Act, the Commissioner of Public Lands shall withdraw such lands from the operation of the lease whenever the commission, with the approval of the Secretary of the Interior, gives notice to him that the commission is of the opinion that the lands are required by it for the purposes of this title; and such withdrawal shall be held to be for a public purpose within the meaning of that term as used in subdivision (d) of section 73 of the Hawaiian Organic Act;

If containing withdrawal clause.
Vol. 42, p. 117.

"(2) Any available land, including land selected by the commission out of a larger area, as provided by this Act, as may not be immediately needed for the purposes of this Act, may be returned to the Commissioner of Public Lands and may be leased by him as provided in subdivision (d) of section 73 of the Hawaiian Organic Act; any lease of Hawaiian home lands hereafter entered into shall contain a withdrawal clause, and the lands so leased shall be withdrawn by the Commissioner of Public Lands, for the purposes of this title, upon the commission giving five years' notice of such withdrawal;

Withdrawal deemed a public purpose.
Vol. 42, p. 117.

Notice for selection out of larger areas.

"(3) The commission shall not lease, use, nor dispose of more than twenty thousand (20,000) acres of the area of Hawaiian home lands, for settlement by native Hawaiians, in any calendar five-year period."

Leases hereafter to contain withdrawal clause.

Notice to be given for withdrawal.

Annual area disposal limited.

Vol. 42, pp. 112, 1222, amended.

SEC. 2. Section 213 of the "Hawaiian Homes Commission Act, 1920, as amended by Act of February 3, 1923," is hereby further amended to read as follows:

Hawaiian Home Loan Fund created.

Moneys to be covered into.

From specified lands added.

"**SEC. 213.** There is hereby established in the treasury of the Territory a revolving fund to be known as the Hawaiian Home Loan Fund. The entire receipts derived from any leasing of the 'available lands' defined in section 203, these receipts including proportionate shares of the receipts from the lands of Humuula Mauka, Piihonua, and Kaohe Hakuu, of which lands portions are yet to be selected and 30 per centum of the Territorial receipts derived from the leasing of cultivated sugar-cane lands under any other provision of law, or from water licenses, shall be covered into the fund until the amount of moneys paid therein from those three sources alone shall equal \$2,000,000. In addition to these moneys and the moneys covered into

Total.