

**CHAP. 192.**—An Act To revive and reenact the Act entitled “An Act granting the consent of Congress to the State of Illinois and the State of Iowa, or either of them, to construct a bridge across the Mississippi River, connecting the county of Carroll, Illinois, and the county of Jackson, Iowa,” approved May 26, 1924.

March 10, 1928.

[S. 2483.]

[Public, No. 147.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act approved May 26, 1924, granting the consent of Congress to the State of Illinois and the State of Iowa, or either of them, to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at or near the city of Savanna, in the county of Carroll, State of Illinois, and the city of Sabula, in the county of Jackson, State of Iowa, be, and the same is hereby, revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

Mississippi River.  
Time extended for  
bridging, from Sa-  
vanna, Ill., to Sabula,  
Iowa.

Vol. 43, p. 173.

*Provis.*  
*Condition.*  
*Post*, p. 1158.

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

Amendment.

Approved, March 10, 1928.

**CHAP. 193.**—An Act Granting the consent of Congress to the State of Vermont to construct, maintain, and operate a free highway bridge across an arm of Lake Memphremagog at or near Newport, Vermont.

March 10, 1928.

[S. 2698.]

[Public, No. 148.]

*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 State of Vermont to construct, maintain, and operate a free highway bridge and approaches thereto across an arm of Lake Memphremagog, at a point suitable to the interests of navigation, at or near Newport, Vermont, in accordance with the provisions of an Act entitled “An Act to regulate the construction of bridges over navigable waters,” approved March 23, 1906.

Lake Memphrema-  
gog.  
Vermont may bridge  
an arm of, at Newport.

*Construction.*  
Vol. 34, p. 84.

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

Amendment.

Approved, March 10, 1928.

**CHAP. 194.**—An Act Granting the consent of Congress to the New Martinsville and Ohio River Bridge Company (Incorporated), to construct, maintain, and operate a bridge across the Ohio River, at or near New Martinsville, West Virginia.

March 10, 1928.

[S. 2801.]

[Public, No. 149.]

*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 New Martinsville and Ohio River Bridge Company (Incorporated), its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation at or near New Martinsville, Wetzel County, West Virginia, in accordance with the provision 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.

Ohio River.  
New Martinsville and  
Ohio River Bridge  
Company may bridge,  
at New Martinsville,  
W. Va.

*Construction.*  
Vol. 34, p. 84.

**SEC. 2.** There is hereby conferred upon the New Martinsville and Ohio River Bridge Company (Incorporated), its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property

Right to acquire real  
estate, etc., for location,  
approaches, etc.

needed for the location, construction, operation, and maintenance of such bridge and its approaches and terminals as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation and expropriation of property in such State.

Condemnation proceedings.

Tolls authorized.

Vol. 34, p. 85.

Acquisition authorized, after completion, by West Virginia, Ohio, etc.

Compensation if acquired by condemnation.

Limitations.

Tolls under State, operation.

Rates applied to operation, sinking fund, etc.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

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

SEC. 3. The said New Martinsville and Ohio River Bridge Company (Incorporated), its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll 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.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of West Virginia, the State of Ohio, any political subdivision of either of such States, within or adjoining which any part of such 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 in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of twenty years after the completion of such bridge the same is acquired by condemnation 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 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.

SEC. 5. If such bridge shall be taken over or acquired by the States or political subdivisions thereof as provided in section 4 of this Act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the amount paid therefor 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 to pay the cost of acquiring the bridge and its approaches shall have been provided such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for acquiring the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 6. The said New Martinsville and Ohio River Bridge Company (Incorporated), its successors and assigns, shall within ninety days after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such 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, at any time within three years after the completion of such bridge, investigate the actual cost of constructing the same, and for such purpose the said New Martinsville and Ohio River Bridge Company (Incorporated), its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the actual original cost of the bridge shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

Investigation by Secretary of War.

Findings of Secretary conclusive.

Right to sell, etc., conferred.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the New Martinsville and Ohio River Bridge Company (Incorporated), 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. 8. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, March 10, 1928.

**CHAP. 195.**—An Act To authorize appropriations for the completion of the transfer of the experimental and testing plant of the Air Corps to a permanent site at Wright Field, Dayton, Ohio, and for other purposes.

March 10, 1928.

[H. R. 7008.]

[Public, No. 150.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated not to exceed \$900,000 to be expended for the completion of the transfer of the experimental and testing plant of the Air Corps to a permanent site at Wright Field, Dayton, Ohio, and the construction and installation thereon of the technical buildings and utilities and appurtenances as may be necessary.

Army.  
Amount authorized for transferring Air Corps testing plant to Wright Field, Dayton, Ohio.  
*Post*, p. 928.

Approved, March 10, 1928.

**CHAP. 196.**—An Act To amend an Act entitled "An Act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913.

March 10, 1928.

[H. R. 8293.]

[Public, No. 151.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all of the provisions of an Act entitled "An Act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913, and amended by the Act of April 11, 1916, and the Act of June 30, 1919, be, and the same are hereby, extended to March 4, 1931: *Provided*, That the provisions of this Act shall apply only in cases where it is shown that the lands were actually occupied in good faith by Indians prior to March 4, 1913, and the applicants are otherwise entitled to receive such tracts, in allotment under existing law but for the grant to the railroad company.

Railroad grant lands. Time extended for relinquishing to Indians, in Arizona, New Mexico, and California. Vol. 37, p. 1007; Vol. 39, p. 48; Vol. 41, p. 9; Vol. 42, p. 994; Vol. 43, p. 795.

*Proviso.*  
Applicable only to Indian occupants prior to March 4, 1913.

Approved, March 10, 1928.