

Return of fugitive to Federal district, etc., not affected.

SEC. 8. Nothing herein contained shall repeal, modify, or in any way affect existing law concerning the procedure for the return of any person apprehended in the District of Columbia to a Federal district to answer a Federal charge, or repeal, modify, or affect existing law or treaty concerning the return to a foreign country of a person apprehended in the District of Columbia as a fugitive from justice from a foreign country.

Approved, April 21, 1928.

April 21, 1928.
[H. R. 9365.]
[Public, No. 295.]

CHAP. 399.—An Act To legalize a bridge across the Saint Francis River at Marked Tree, in the county of Poinsett, Arkansas.

Saint Francis River. Bridge across, by Arkansas, in Poinsett County, legalized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the free highway bridge now being constructed by the Arkansas Highway Commission across the Saint Francis River at Marked Tree, in the county of Poinsett, Arkansas, if completed in accordance with plans accepted by the Chief of Engineers and the Secretary of War as providing suitable facilities for navigation, shall be a lawful structure and shall be subject to the conditions and limitations of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, other than those requiring the approval of plans by the Chief of Engineers and the Secretary of War before the bridge is commenced.

Construction. Vol. 34, p. 84.

Amendment.

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

Approved, April 21, 1928.

April 21, 1928.
[H. R. 9483.]
[Public, No. 296.]

CHAP. 400.—An Act To provide for the acquisition of rights of way through the lands of the Pueblo Indians of New Mexico.

Pueblo Indian lands, N. Mex. Rights of way through, may be acquired under laws in force. U. S. Code, pp. 709-711, 1395.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Statutes of the United States governing the acquisition of rights of way through Indian lands, to wit, the Code of Laws of the United States of America, in force December 6, 1926, title 25, Indians, sections 311, 312, 313, 314, 315, 317, 318, 319, and 321 and title 43, Public Lands, section 935, and the basic Acts of Congress cited in such sections, be, and they are hereby, extended over and made applicable to the Pueblo Indians of New Mexico and their lands, under such rules, regulations, and conditions as the Secretary of the Interior may prescribe.

Approved, April 21, 1928.

April 21, 1928.
[H. R. 9630.]
[Public, No. 297.]

CHAP. 401.—An Act Authorizing the Great Falls Bridge Company, its successors and assigns, to construct, maintain, and operate a bridge across the Potomac River at or near the Great Falls.

Potomac River. Great Falls Bridge Company may bridge, between Fairfax County, Va., and Montgomery County, Md.

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 Great Falls Bridge Company, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Potomac River at a point suitable to the interests of navigation from a point within one mile below Great Falls, in the county of Fairfax, in the State of Virginia, to a point within one mile

below the Great Falls, in the county of Montgomery, in the State of Maryland, 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: *Provided*, That in addition to the authority vested in the Secretary of War, the location and design of said bridge shall be subject to the approval of the National Capital Park and Planning Commission, and provided further that no railway shall be operated on and over said bridge: *Provided further*, That the location and design of said bridge shall be such as not to interfere with any power development of said Potomac River that, under specific authorization of Congress or under the provisions of the Federal Water Power Act, may be made in accordance with the project set forth in Senate Document 403, Sixty-sixth Congress, third session, or appropriate modification thereof.

Construction.
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Post, p. 1552.

Provisos.
Approval of location
and design, etc.

Not to interfere with
power development of
the river.

SEC. 2. There is hereby conferred upon the Great Falls Bridge Company, 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 needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the States 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 States, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such States.

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

Condemnation pro-
ceedings.

SEC. 3. The said Great Falls Bridge Company, 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.

Tolls authorized.

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SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Virginia, the State of Maryland, any public agency or 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 or expropriation in accordance with the laws of either of such States 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 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.

Acquisition author-
ized, after completion,
by Virginia, Maryland,
etc.

Compensation if ac-
quired by condemna-
tion.

Limitations.

SEC. 5. If such bridge shall be taken over or acquired by the States 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 toll 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 suffi-

Tolls under State
etc., operation.

Rates applied to op-
eration, sinking fund,
etc.

cient to amortize the amount paid therefor, including reasonable interest and financing cost, 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, 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 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.

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

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

Examination by Secretary of War.

Findings of Secretary conclusive.

Right to sell, etc., conferred.

Amendment.

SEC. 6. The Great Falls Bridge 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 departments of the States of Virginia and Maryland 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 either of such States 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 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 Great Falls Bridge Company, its successors and assigns shall make available all of its 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. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the Great Falls 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.

SEC. 8. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 21, 1928.

April 23, 1928.
[H. R. 11887.]
[Public, No. 296.]

CHAP. 407.—An Act Authorizing the Interstate Bridge Company, its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Nebraska City, Nebraska.

Missouri River.
Interstate Bridge
Company may bridge,
at Nebraska City,
Nebr.

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 Interstate Bridge Company, its successors and assigns, be and is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Nebraska City, Nebraska, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges

Construction.
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