

**CHAP. 732.**—An Act Authorizing the city of Council Bluffs, Iowa, and the city of Omaha, Nebraska, or either of them, to construct, maintain, and operate a free highway bridge across the Missouri River between Council Bluffs, Iowa, and Omaha, Nebraska.

May 24, 1928.  
[S. 3693.]  
[Public, No. 503.]

*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 city of Council Bluffs, a municipal corporation of the State of Iowa, and the city of Omaha, a municipal corporation of the State of Nebraska, or either of them, are hereby authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, between Council Bluffs, Iowa, and Omaha, Nebraska, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Missouri River.  
Council Bluffs, Iowa,  
and Omaha, Nebr.,  
may bridge.

**SEC. 2.** There are hereby conferred upon the city of Council Bluffs and the city of Omaha, or either of them, 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 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 or expropriation of property for public purposes in such State.

Construction.  
Vol. 34, p. 84.

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

**SEC. 3.** The right to alter, amend, or repeal this Act is hereby expressly reserved.

Condemnation pro-  
ceedings.

Approved, May 24, 1928.

Amendment.

**CHAP. 733.**—An Act To amend section 4 of the Act entitled "An Act to extend the period of restrictions in lands of certain members of the Five Civilized Tribes, and for other purposes," approved May 10, 1928.

May 24, 1928.  
[S. 4448.]  
[Public, No. 504.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4 of an Act approved May 10, 1928, entitled "An Act to extend the period of restrictions in lands of certain members of the Five Civilized Tribes, and for other purposes" (Public Numbered 360, Seventieth Congress, first session), be, and the same is hereby, amended so as to read as follows:

Five Civilized  
Tribes, Okla.  
Allotments.  
Ante. p. 496, amend-  
ed.

**SEC. 4.** That on and after April 26, 1931, the allotted, inherited, and devised restricted lands of each Indian of the Five Civilized Tribes in excess of one hundred and sixty acres shall be subject to taxation by the State of Oklahoma under and in accordance with the laws of that State, and in all respects as unrestricted and other lands: *Provided*, That the Indian owner of restricted land, if an adult and not legally incompetent, shall select from his restricted land a tract or tracts, not exceeding in the aggregate one hundred and sixty acres, to remain exempt from taxation, and shall file with the Superintendent of the Five Civilized Tribes a certificate designating and describing the tract or tracts so selected: *Provided further*, That in cases where such Indian fails, within two years from date hereof, to file such certificate, and in cases where the Indian owner is a minor or otherwise legally incompetent, the selection shall be made and certificate prepared by the Superintendent for the Five Civilized Tribes; and such certificate, whether by the Indian or by the Superintendent for the Five Civilized Tribes, shall be subject to approval

Restricted lands, in  
excess of 160 acres, sub-  
ject to State taxation  
after April 26, 1931.

*Provisos.*  
Selection of exempt-  
ed tracts by Indian  
owners.

Superintendent to se-  
lect on failure of Indian,  
etc.

Designated lands exempt from taxation while title in the Indian, etc.

Exemption period limited.

Not over 160 acres exempt.

by the Secretary of the Interior; and, when approved by the Secretary of the Interior, shall be recorded in the office of the Superintendent for the Five Civilized Tribes, and in the county records of the county in which the land is situated; and said lands, designated and described in the approved certificates so recorded, shall remain exempt from taxation while the title remains in the Indian designated in such approved and recorded certificate, or in any full-blood Indian heir or devisee of the land: *Provided*, That the tax exemption shall not extend beyond the period of restrictions provided for in this Act: *And provided further*, That the tax-exempt land of any such Indian allottee, heir, or devisee shall not at any time exceed one hundred and sixty acres."

Approved, May 24, 1928.

May 24, 1928.

[H. R. 12632.]

[Public, No. 505.]

**CHAP. 734.**—An Act To provide for the eradication or control of the European corn borer.

European corn borer. Amount authorized for methods of eradication.

*Ante*, p. 568.

*Post*, pp. 1208, 1216.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That to enable the Secretary of Agriculture to apply such methods of eradication or control of the European corn borer over such area or areas as in his judgment may be necessary, including the employment of persons and means in the District of Columbia and elsewhere and all other necessary expenses, the sum of \$7,000,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be expended in cooperation with such authorities of the States concerned, organizations, or individuals as the Secretary may deem necessary to accomplish such purposes: *Provided*, That no part of the appropriation herein authorized shall be expended for the purchase of new machinery unless the Secretary of Agriculture deems such expenditure necessary by reason of an emergency, and in such case an amount not to exceed 1 per centum may be so expended: *Provided further*, That an amount not to exceed 9 per centum of the appropriation herein authorized may be expended for the employment of persons and means in the District of Columbia and elsewhere and all other necessary expenses other than necessary expenses for farm clean-up incidental to such eradication or control: *Provided further*, That in the discretion of the Secretary of Agriculture no expenditure shall be made hereunder until the States wherein the European corn borer exists shall have provided necessary regulatory legislation and until a sum or sums adequate to State cooperation shall have been appropriated, subscribed, or contributed by States, county, or local authorities or individuals or organizations: *Provided further*, That expenditures from the appropriation herein authorized for any necessary farm clean-up incidental to such eradication or control shall include only such as are, in the judgment of the Secretary of Agriculture, additional to those normal and usual in farm operations, and shall not exceed 90 per centum: *Provided further*, That no part of the appropriation herein authorized shall be used to pay the cost or value of corn or other farm crops or other property injured or destroyed: *And provided further*, That the Secretary of Agriculture may receive, and shall cover into the Treasury as miscellaneous receipts, any and all moneys authorized by the law of any State to be paid to the United States out of amounts assessed against and collected from any owner of premises who refuses or neglects to carry out State-control requirements when such moneys represent expenditures made on such premises by the United States under the provisions of this Act.

Cooperation of States, etc.

*Proviso*. Purchase of new machinery restricted.

Services, etc., in the District and elsewhere.

No expenditure until States affected provide regulatory legislation and money be contributed by and authorized.

Farm clean-up expenditures.

No pay for corn, etc., destroyed.

Moneys received from States to be deposited into the Treasury.

Approved, May 24, 1928.