

SEC. 3. That the proceeds of said sale shall be deposited in the Treasury to the fund known as the military post construction fund, after first paying the expenses of and incident to the sale including appraisal fees, but no appraiser shall be paid in excess of \$100 for such services as he may render under the terms of this Act.

Approved, May 26, 1928.

Proceeds to be deposited in military post construction fund.

CHAP. 779.—An Act Authorizing the Secretary of the Navy to provide an escort for the bodies of deceased officers, enlisted men, and nurses.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy, in his discretion, is hereby authorized to furnish an escort not to exceed one person to the place of burial for the bodies of officers, enlisted men, or nurses who have lost their lives in the naval service. Such expenses as are incurred for this purpose shall be paid from the proper appropriation: *Provided*, That section 1587 of the Revised Statutes of the United States is hereby repealed.

Approved, May 26, 1928.

May 26, 1928.  
[H. R. 12694.]  
[Public, No. 543.]

Navy.  
Escort for burial of officers, etc., dying in service, authorized.

Proviso.  
R. S., sec. 1587, p. 271, repealed.  
U. S. Code, p. 1142.

CHAP. 780.—An Act Granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Sabine River, at or near Starks, Louisiana.

*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 Louisiana Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across the Sabine River, at a point suitable to the interests of navigation, at or near Starks, Louisiana, in accordance with the provisions of an Act entitled, "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

Approved, May 26, 1928.

May 26, 1928.  
[H. R. 12623.]  
[Public, No. 544.]

Sabine River.  
Louisiana Highway Commission may bridge, at Starks.

Construction.  
Vol. 34, p. 84.

Amendment.

CHAP. 781.—An Act Authorizing J. H. Harvell, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across New River at or near McCreery, Raleigh County, West Virginia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, J. H. Harvell, his heirs, legal representatives, and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across New River, at a point suitable to the interests of navigation, at or near McCreery, Raleigh County, West Virginia, 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.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of West Virginia, any political subdivision thereof 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

May 26, 1928.  
[H. R. 12806.]  
[Public, No. 545.]

New River.  
J. H. Harvell may bridge, at McCreery, W. Va.

Construction.  
Vol. 34, p. 84.

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

Condemnation proceedings.	and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation or expropriation.
Compensation if acquired by condemnation.	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 profit, 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 cost, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.
Limitations.	
Tolls under State, etc., operation.	<b>SEC. 3.</b> If such bridge shall at any time be taken over or acquired by the State of West Virginia or by any municipality or other political subdivision or public agency thereof, under the provisions of section 2 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 sufficient 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.
Rates applied to operation, sinking fund, etc.	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.	<b>SEC. 4.</b> J. H. Harvell, his heirs, legal representatives, and assigns, shall within ninety days after the completion of such bridge file with the Secretary of War and with the highway department of the State of West Virginia, 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 West Virginia 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 reasonable cost of constructing, financing, and promoting such bridge. For the purpose of such investigation the said J. H. Harvell, his heirs, legal representatives, 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 2 of this Act, subject only to review in a court of equity for fraud or gross mistake.
Record of expenditures and receipts.	<b>SEC. 5.</b> The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to J. H. Harvell, his heirs, legal representatives, and assigns, and
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.	

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

Approved, May 26, 1928.

Amendment.

**CHAP. 782.**—An Act To extend the times for commencing and completing the construction of a bridge across the Allegheny River at or near the borough of Eldred, McKean County, Pennsylvania.

May 26, 1928.  
[H. R. 12913.]  
[Public, No. 546.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of the bridge across the Allegheny River at or near the borough of Eldred, McKean County, Pennsylvania, authorized to be built by the commissioners of McKean County, Pennsylvania, by the Act of Congress approved May 13, 1926, are hereby extended one and three years, respectively, from the date of approval hereof.

Allegheny River.  
Time extended for  
bridging, at Eldred,  
Pa.  
Vol. 44, p. 553, amend-  
ed.

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

Amendment.

Approved, May 26, 1928.

**CHAP. 783.**—An Act Authorizing the Ripley Bridge Company, its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Ripley, Ohio.

May 26, 1928.  
[S. 4450.]  
[Public, No. 547.]

*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 Ripley Bridge Company, its successors and assigns, be, and is hereby, authorized 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 Ripley, Ohio, 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.

Ohio River.  
Ripley Bridge Com-  
pany may bridge, at  
Ripley, Ohio.

SEC. 2. There is hereby conferred upon the Ripley 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 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 loca-  
tion, approaches, etc.

SEC. 3. The said Ripley 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.

Condemnation pro-  
ceedings.

Tolls authorized.

Vol. 34, p. 85.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Ohio, the State of Kentucky,

Acquisition author-  
ized, after completion,  
by Ohio, Kentucky,  
etc.