

Findings of Secretary
conclusive.

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.

Right to sell, etc.,
conferred.

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 Uvalda Booster Club, 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.

Amendment.

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

Approved, May 29, 1928.

May 29, 1928.
[S. 4346.]

[Public, No. 583.]

CHAP. 873.—An Act To authorize an appropriation for the purchase of certain privately owned lands within the Fort Apache Indian Reservation, Arizona.

Fort Apache Reser-
vation, Ariz.
Purchase of land,
etc., within, from Aztec
Land and Cattle Com-
pany for Indians there-
of from tribal funds.
Post, p. 1568.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized an appropriation of \$6,200, or as much thereof as might be required, from the tribal fund "Indian moneys proceeds of labor" on deposit in the Treasury of the United States to the credit of the Indians of the Fort Apache Reservation, Arizona, for the purchase of the land and appurtenances thereof located within the exterior boundaries of that reservation and belonging to the Aztec Land and Cattle Company, title thereto to be taken in the name of the United States in trust for said Indians.

Approved, May 29, 1928.

May 29, 1928.
[S. 4203.]

[Public, No. 584.]

CHAP. 874.—An Act Authorizing J. H. Haley, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Missouri River near a point where Olive Street Road, Saint Louis County, Missouri, if extended west would intersect the Missouri River.

Missouri River.
J. H. Haley may
bridge, in Saint Louis
County, Mo.

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. Haley, his heirs, legal representatives, 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 a point about three thousand five hundred feet downstream from mile 45 as established by the survey of the United States Engineers, War Department, said place or point being approximately five thousand feet downstream from the point where Olive Street Road, Saint Louis County, Missouri, if extended west would intersect the southerly bank of the Missouri River, 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.

Location.

Construction.
Vol. 34, p. 84.

Acquisition author-
ized, after completion,
by Missouri, etc.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Missouri, 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 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. If at any time after the expiration of ten 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 interest 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 interest in real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by the State of Missouri, 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 ten 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.

SEC. 4. J. H. Haley, 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 Missouri 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 Missouri 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 J. H. Haley, 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.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to J. H. Haley, his heirs, legal representatives, and assigns, and any corporation to which or any person to whom such rights, powers,

Compensation if acquired by condemnation.

Limitations.

Tolls, under State, etc., operation.

Rates applied to operation, sinking fund, etc.

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

Record of expenditure and receipts.

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

Investigation by Secretary of War.

Findings of Secretary conclusive.

Rights to sell, etc., conferred.

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.

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

Approved, May 29, 1928.

CHAP. 875.—An Act To amend the World War Veterans' Act, 1924.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 19 of the World War Veterans' Act, 1924, as amended (section 445, title 38, of the United States Code), be amended by adding the following:

"No suit shall be allowed under this section unless the same shall have been brought within six years after the right accrued for which the claim is made, or within one year from the date of the approval of this amendatory Act, whichever is the later date: *Provided*, That for the purposes of this section it shall be deemed that the right accrued on the happening of the contingency on which the claim is founded: *Provided further*, That this limitation is suspended for the period elapsing between the filing in the bureau of the claim sued upon and the denial of said claim by the director. Infants, insane persons, or persons under other legal disability, or persons rated as incompetent or insane by the bureau shall have three years in which to bring suit after the removal of their disabilities. If suit is seasonably begun and fails for defect in process, or for other reasons not affecting the merits, a new action, if one lies, may be brought within a year though the period of limitations has elapsed. Judgments heretofore rendered against the person or persons claiming under the contract of war-risk insurance on the ground that the claim was barred by the statute of limitations shall not be a bar to the institution of another suit on the same claim. No State or other statute of limitations shall be applicable to suits filed under this section. This section shall apply to all suits now pending against the United States under the provisions of this section."

SEC. 2. That section 21, subdivision (2), of the World War Veterans' Act, 1924, as amended (section 450, title 38, of the United States Code), be hereby amended to read as follows:

"(2) Whenever it appears that any guardian, curator, conservator, or other person is not, in the opinion of the director, properly executing the duties of his trust or has collected or is attempting to collect fees, commissions, or allowances that are inequitable or are in excess of those allowed by law for the duties performed or expenses incurred, or has failed to make such payments as may be necessary for the benefit of the ward or the dependents of the ward, then and in that event the director is hereby empowered by his duly authorized attorney to appear in the court which has appointed such fiduciary and make proper presentation of such matters to the court: *Provided*, That the director, in his discretion, may suspend payments to any such guardian, curator, conservator, or other person who shall neglect or refuse, after reasonable notice, to render an account to the director from time to time showing the application of such payments for the benefit of such minor or incompetent beneficiary.

"Authority is hereby granted for the payment of any court or other expenses incident to any investigation or court proceeding for the appointment of any guardian, curator, conservator, or other

May 29, 1928.
[H. R. 13039.]
[Public, No. 585.]
World War Veterans' Act Amendments.
Vol. 43, p. 1303, amended.
U. S. Code, p. 1218.

Time for bringing suits on insurance claims.

Provisos.
Time when right accrued.

Suspension, on denial of claim by director.

Infants, etc.

Defects in process, etc.

Allowance of another suit.

State limitations not applicable.

Pending suits included.

Payments to minors, etc.
Vol. 44, p. 792, amended.
U. S. Code, p. 2075.

Notice to court on failure of guardian etc., to properly execute his duties, etc.

Proviso.
Suspension of guardian, etc., failing to render accounts.

Payment of court expenses of investigations, etc.