

**CHAP. 496.**—An Act To legalize the sewer outlet in the Allegheny River at Thirty-second Street, Pittsburgh, Pennsylvania.

March 2, 1929.  
[S. 5746.]  
[Public, No. 922.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sewer outlet constructed in the Allegheny River at Thirty-second Street, Pittsburgh, Pennsylvania, by the city of Pittsburgh, be, and the same is hereby, legalized to the same extent and with like effect as to all existing or future laws and regulations of the United States as if the permit required by the existing laws of the United States in such cases made and provided had been regularly obtained prior to the construction of said sewer outlet.

Allegheny River.  
Sewer outlet in, by Pittsburgh, Pa., legalized.

**SEC. 2.** That any changes in said sewer outlet which the Secretary of War may deem necessary and order in the interest of navigation shall be promptly made by the owner thereof.

Any necessary changes to be made.

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

Amendment.

Approved, March 2, 1929.

**CHAP. 497.**—An Act Authorizing Maynard D. Smith, his heirs, successors, and assigns, to construct, maintain, and operate a bridge across the Saint Clair River at or near Port Huron, Michigan.

March 2, 1929.  
[S. 5847.]  
[Public, No. 923.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to facilitate international commerce and improve the postal service, Maynard D. Smith, of Port Huron, Michigan, his heirs, successors, and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Saint Clair River, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation, between a point at or near the city of Port Huron, Saint Clair County, State of Michigan, and a point at or near the city Sarnia, Province of Ontario, Dominion of Canada, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the conditions and limitations contained in this Act, and in so far as Maynard D. Smith, his heirs, successors, or assigns, may act in the Dominion of Canada, subject also to the approval of the proper authorities thereof.

Saint Clair River.  
Maynard D. Smith may bridge, between Port Huron, Mich., and Sarnia, Ontario, Canada.

**SEC. 2.** There is hereby conferred upon the said Maynard D. Smith, his heirs, 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 in the State of Michigan 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 of Michigan, 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.

Subject to approval of Canada.

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

**SEC. 3.** The said Maynard D. Smith, his heirs, 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 proceedings.

Tolls authorized.

Vol. 34, p. 85.

**SEC. 4.** Such bridge shall be constructed in accordance with the standard specifications adopted by the American Association of State Highway Officials. During the construction of such bridge all work thereon shall be subject to inspection and approval by the State highway department of Michigan.

Standard specifications required.

Inspection by State authorities.

Limitation on indebtedness.

Post, 1485.

Limitation on all encumbrances.

Sale price of bonds and debentures.

Preferred stock.

Proceeds from tolls. Use for operation, dividends, or interest on obligations.

Application to use of grantee, retiring obligations, etc.

On retiring all bonds, etc., bridge property, etc., in United States to be conveyed to Michigan, etc.

Property in Canada to be conveyed thereto.

Disposal of revenues thereafter.

Rates of toll to provide for operation.

Acquisition authorized by Michigan and Canada, etc., after completion.

SEC. 5. The said Maynard D. Smith, his heirs, successors, and assigns, shall not encumber said bridge by the issue of stocks, bonds, notes, mortgages, debentures, or other evidences of indebtedness in an amount which, including all previous encumbrances, whether retired or still outstanding, shall at any time exceed in the aggregate the cost as reported to and determined by the Secretary of War in accordance with section 8 hereof. Not less than two-thirds of all encumbrances or securities other than preferred stock issued against said bridge shall be first mortgage bonds, and not more than one-third may be debentures. None of said bonds issued against said bridge shall be sold for less than 92 per centum of their par value nor bear interest at a fixed rate in excess of 6½ per centum per annum. None of said debentures issued against said bridge shall be sold for less than 90 per centum of their par value nor bear interest at a fixed rate in excess of 7 per centum per annum. Any preferred stock issued shall be at par plus accrued dividend, shall represent value, and shall be entitled to accumulative dividends at not to exceed 7 per centum per annum.

SEC. 6. The proceeds from tolls charged for the use of such bridge shall be used: First, to pay the maintenance, repair, and operation costs; second, to pay dividends or interest on outstanding preferred stocks, bonds, notes, mortgages, debentures, or other obligations issued by the said Maynard D. Smith, his heirs, successors, and assigns; and, third, 20 per centum of any funds then remaining shall be retained by the said Maynard D. Smith, his heirs, successors, and assigns, and the other 80 per centum thereof shall be applied by said Maynard D. Smith, his heirs, successors, and assigns, in the purchase and retirement in accordance with section 5 hereof of said bonds, debentures, preferred stock, or other outstanding obligations legally incurred against said bridge. At the close of the fiscal year, when all bonds, debentures, preferred stock, or other obligations legally incurred against said bridge shall have been retired in accordance herewith, such bridge and the approaches thereto and all structures, property, property rights, and franchises, so far as the same are located within the United States, shall be conveyed by the said Maynard D. Smith, his heirs, successors, and assigns, without cost or expense, to the State of Michigan or to such municipality or agency of the State of Michigan as the legislature of said State may designate, and, so far as the same is situated within the Dominion of Canada, shall be conveyed, without cost or expense, to the Dominion of Canada or to such Province, municipality, or agency thereof as the Dominion of Canada may designate; and all right, title, and interest of said Maynard D. Smith, his heirs, successors, and assigns, therein shall then cease and determine. After said outstanding obligations of the said Maynard D. Smith have been retired, said 80 per centum of the net earnings shall be held by said Maynard D. Smith, and half thereof shall be turned over to the State of Michigan, or its designated municipality or agency, and half to the Dominion of Canada, or its designated municipality or agency, at the same time as the bridge is turned over. The rates of toll, if any, 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. If said bridge shall not have become the property of the State of Michigan and the Dominion of Canada, or such agencies as may be authorized by them, in accordance with the provisions of this section, within twenty years after the date that it is completed and formally opened to traffic, the said State of Michigan and the Dominion of Canada, or such agencies as may be authorized by them, shall have the additional right at any time thereafter to acquire said bridge by

purchase and retirement, at par plus accrued interest or dividends, of the legally authorized obligations then outstanding against same.

SEC. 7. The said Maynard D. Smith, his heirs, successors, and assigns, shall keep an accurate record of the cost of the bridge and its approaches, the expenditures for operating, repairing, and maintaining the bridge, the daily traffic, and the tolls collected, and shall annually submit to the State highway department of Michigan and to the department of public highways of the Province of Ontario a sworn itemized statement showing the traffic, the tolls collected, the maintenance, repair, and operation costs, the net earnings, interest, and dividend payments, and the stock, bonds, notes, mortgages, debentures, or other obligations retired during the preceding fiscal year. The State highway department of Michigan and the department of public highways of Ontario shall have access at any time to all records, files, and books of the said Maynard D. Smith, his heirs, successors, and assigns. The mayor of the city of Port Huron, State of Michigan, and the mayor of the city of Sarnia, Province of Ontario, Dominion of Canada, ex officio, shall be entitled to receive notice of and attend meetings of the board of directors of any company or corporation now existing or hereafter organized and having the control and operation of said bridge.

SEC. 8. The said Maynard D. Smith, his heirs, successors, 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 Michigan 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 or other property; interest during construction; and the actual financing costs, not to exceed 10 per centum of the total of said items. The Secretary of War may, and upon request of the highway department of the State of Michigan shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy of the costs alleged in the statement of costs so filed, and shall make a finding of the actual costs of constructing and financing such bridge; for the purpose of such investigation the said Maynard D. Smith, his heirs, successors, and assigns, shall make available all of its records in connection with the construction and financing thereof. The findings of the Secretary of War as to the costs of the construction and financing of the bridge shall be conclusive for all purposes mentioned in this Act, subject only to review in a court of equity for fraud or gross mistake. A report of the maintenance, repair, and operation costs of said bridge shall be submitted by the said Maynard D. Smith, his heirs, successors, and assigns, at the end of each six-month period to the State highway department of Michigan and to the department of public highways of the Province of Ontario, Dominion of Canada. If any class of expenditures therein is disapproved by said highway departments, or either of them, such class of expenditures shall not thereafter, without approval, be an obligation payable out of the proceeds of tolls collected for the use of such bridge. Reconstruction or betterment costs in excess of \$10,000 in any fiscal year must be submitted to and be approved as necessary and reasonable by the State highway department of Michigan and the department of public highways of the Province of Ontario prior to incurring the expenditures therefor, and all betterment and reconstruction costs, duly approved if such approval is required, and actually made, may be added to the cost of the bridge, as determined by the Secretary of War in accordance with the provisions of this section, and in order to meet the cost thereof additional obligations or encumbrances not in excess of the amount approved for such reconstruction and

Record of expenditures and receipts.

Annual itemized statements to highway departments of Michigan and Canada.

Access to records, etc.

Mayors of Port Huron, Mich., and Sarnia, Canada, to attend meetings of directors of operating company.

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

Examination by Secretary of War.

Findings of Secretary conclusive.

Semiannual reports of maintenance, etc., to highway departments.

Action on expenses not approved.

Submission of reconstruction and betterment costs for approval, etc.

betterments actually made plus necessary financing costs, not exceeding 10 per centum, may be issued against said bridge.

Right to sell, etc., conferred.

SEC. 9. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the said Maynard D. Smith, his heirs, 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, subject to the terms and conditions of this Act, as fully as though conferred herein directly upon such corporation or person.

Amendment.

SEC. 10. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 2, 1929.

March 2, 1929.

[S. 5880.]

[Public, No. 924.]

**CHAP. 498.**—An Act To provide for the preservation and consolidation of certain timber stands along the western boundary of the Yosemite National Park, and for other purposes.

Yosemite National Park. Additions to, by proclamation, of adjacent timber stands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the purpose of preserving and consolidating certain timber stands along the western boundary of the Yosemite National Park, the President of the United States is hereby authorized, upon the joint recommendation of the Secretaries of the Interior and of Agriculture, to add to said park by Executive proclamation any or all of the following-described lands: Sections 19, 20, 29, 30, 31, and 32, township 1 south, range 20 east, Mount Diablo meridian; east half section 1; east half section 12; southeast quarter section 24, township 2 south, range 19 east, Mount Diablo meridian; sections 4, 5, and 6; north half section 7; sections 8 and 9, and 19 and 20 township 2 south, range 20 east, Mount Diablo meridian, approximately nine thousand acres.

Description.

Approved, March 2, 1929.

March 2, 1929.

[H. R. 16791.]

[Public, No. 925.]

**CHAP. 499.**—An Act To extend the times for commencing and completing the construction of a bridge across the Monongahela River at or near Point Marion, Pennsylvania.

Monongahela River. Time extended for bridging, at Point Marion, Pa.

*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 Monongahela River, at or near Point Marion, Pennsylvania, authorized to be built by the Point Marion Community Club of Point Marion, Pennsylvania, by the Act of Congress approved March 29, 1928, are hereby extended one and three years, respectively, from March 29, 1929.

Ante, p. 395.

Amendment.

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

Approved, March 2, 1929.

March 2, 1929.

[H. R. 8223.]

[Public, No. 926.]

**CHAP. 500.**—An Act To authorize the sale of certain buildings at United States Veterans' Hospital Numbered 42, Perry Point, Maryland.

Perry Point, Md. Buildings on Veterans' Hospital at, to be disposed of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Director of the United States Veterans' Bureau be, and he hereby is, authorized to sell or otherwise dispose of the following-described buildings now situated on the reservation of the United States Veterans' Hospital, Perry Point, Maryland, which are of wooden construction and