

[CHAPTER 598.]

## AN ACT

To authorize the reduction of the required distance between liquor distilleries and rectifying plants and to authorize higher fences around distilleries.

June 18, 1934.  
[H. R. 9617.]  
[Public, No. 406.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3266 of the Revised Statutes (relating to premises on which the distilling of liquor is prohibited) (U.S.C., Supp. VII, title 26, sec. 1170) is amended by inserting after the word "rectifying" a comma and the following: "except that the Secretary of the Treasury is authorized to permit such use for distilling on premises at such lesser distance that <sup>1</sup> six hundred feet as he prescribes, in any case in which he deems that such permission may be granted without danger to the revenue".

Liquor distilleries and rectifying plants.  
R. S. sec. 3266, p. 631;  
U.S.C. Supp. VII, p. 615.  
Premises for distilling; distance.

SEC. 2. Section 3280 of the Revised Statutes (relating to minimum distance between places where businesses of distilling and rectifying may be carried on, and to conditions precedent to carrying on distilling business) (U.S.C., Supp. VII, title 26, sec. 1183) is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: "except that the Secretary of the Treasury is authorized to permit such business of distilling or process of distillation to be carried on at such lesser distance than six hundred feet as he prescribes, in any case in which he deems that such permission may be granted without danger to the revenue".

R. S., sec. p. 634;  
U.S.C., Supp. VII, p. 617.  
Premises for distilling and rectifying.

SEC. 3. So much of section 3244 "Third" of the Revised Statutes, as amended (U.S.C., Supp. VII, title 26, sec. 1830), as reads "no officer shall collect any special tax for rectifying distilled spirits on any premises less than six hundred feet in a direct line from any distillery" is amended to read as follows: "no officer shall collect any special tax for rectifying distilled spirits on any premises less than six hundred feet (or less than the distance permitted by the Secretary of the Treasury in the particular case) in a direct line from any distillery".

Collecting special tax.  
R. S., sec. 3244, p. 623.  
U.S.C., Supp. VII, p. 692.

SEC. 4. Section 3275 of the Revised Statutes (relating to keeping distilleries accessible) (U.S.C., Supp. VII, title 26, sec. 1177) is amended by striking out the period at the end of the first sentence and inserting in lieu thereof a comma and the following: "but the Secretary of the Treasury may authorize the construction and maintenance of a fence or wall of such greater height than five feet as he shall prescribe in any case in which in his opinion such higher fence or wall is necessary to give adequate protection from trespassers."

Keeping distilleries accessible.  
R. S., sec. 3275, p. 633.  
U.S.C., Supp. VII, p. 616.  
Fencing premises.

Approved, June 18, 1934.

[CHAPTER 599.]

## AN ACT

Authorizing the Sistersville Bridge Board of Trustees to construct, maintain, and operate a toll bridge across the Ohio River at Sistersville, Tyler County, West Virginia.

June 18, 1934.  
[H. R. 9618.]  
[Public, No. 406.]

*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, C. S. Sutton, president of the county court of Tyler County, West Virginia, and his successors in office, W. L. Sutton, mayor of the city of Sistersville, West Virginia, and his successors in office, and Arnold Stoeffler, president of the Board of County Commissioners of Monroe County, Ohio, and his successors in office, all as trustees, are hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the

Ohio River.  
Bridge authorized across at Sistersville, W. Va.

Construction.  
Vol. 34, p. 84.

<sup>1</sup> So in original.

Ohio River, at a point suitable to the interests of navigation, at Sistersville, Tyler 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; and said trustees shall own and hold said bridge in trust for Tyler County, West Virginia, Monroe County, Ohio, and the city of Sistersville, West Virginia; said trustees being known as and functioning as the Sistersville Bridge Board of Trustees, and serving without compensation. Said board of trustees is hereby granted the right to assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act.

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

SEC. 2. There is hereby conferred upon said board of trustees 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, maintenance, and operation 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.

Condemnation proceedings.

Tolls authorized.

SEC. 3. The said board of trustees 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.

Rates adjusted to provide for operation, sinking fund, etc.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same 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 cost of such bridge and its approaches, 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 completion thereof. 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 cost of the bridge and its approaches; the 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.

Record of expenditures and receipts.

Amendment.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 18, 1934.

[CHAPTER 600.]

AN ACT

To amend subsection (a) of section 23 of the District Alcoholic Beverage Control Act.

June 18, 1934.

[H. R. 9622.]

[Public, No. 407.]

Alcoholic Beverage Control Act, D.C.  
Ante, pp. 332, 654.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (a) of section 23 of the District of Columbia Alcoholic Beverage Control Act is amended so as to read as follows: