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CHAP. 62.—An Act Granting the consent of Congress to the Midland and Atlantic Bridge Corporation, a corporation, to construct, maintain, and operate a bridge across the Big Sandy River between the city of Catlettsburg, Kentucky, and a point opposite in the city of Kenova, in the State of West Virginia.

March 18, 1926.
[H. R. 5043.]
[Public, No. 51.]

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 Midland and Atlantic Bridge Corporation, a corporation, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto, across the Big Sandy River at a point suitable to the interests of navigation, one end of such bridge to be in the city of Catlettsburg, in the State of Kentucky, and the other end at a point on the opposite side of said river, in the city of Kenova, in the State of 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: *Provided*, That such bridge shall not be constructed or commenced until the plans and specification thereof shall have been submitted to and approved by the Secretary of War and the Chief of Engineers as being also satisfactory from the standpoint of the volume and weight of the traffic which will pass over it.

Big Sandy River.
Midland and Atlantic Bridge Corporation, may bridge, Catlettsburg, Ky., to Kenova, W. Va.

Construction.
Vol. 34, p. 84.

Proviso.
Approval of traffic capacity, required.

SEC. 2. The said Midland and Atlantic Bridge Corporation, its successors and assigns, are hereby authorized and empowered to fix and charge just and reasonable tolls for the passage over such bridge of pedestrians, animals, and vehicles adapted to travel on public highways, and the rates so fixed shall be the legal rates until the Secretary of War shall prescribe other rates of toll as provided in the Act of March 23, 1906.

Tolls authorized.

Vol. 34, p. 85.

SEC. 3. That the States of West Virginia and Kentucky, or any official agency of either thereof or any political or other subdivision or subdivisions thereof within or adjoining which such bridge is located, may jointly or severally at any time after the completion of such bridge, by agreement or condemnation in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation, acquire all right, title, and interest in such bridge and the approaches and appurtenances thereto: *Provided*, That if such bridge is acquired as aforesaid by condemnation, at any time after fifteen years after completion of such bridge, in determining the measure of damages or compensation to be paid for the same, there shall not be included any credit or allowance for good will, going value or prospective revenues or profits, but the same shall be limited to such an amount not exceeding the original cost thereof as shall represent the cash value of the bridge and its approaches and appurtenances and any improvements thereto at the time of such acquisition.

Acquisition by West Virginia and Kentucky, after completion, authorized.

Proviso.
Determination of compensation if acquired by condemnation.

Limitation.

SEC. 4. The said Midland and Atlantic Bridge Corporation, its successors and assigns, shall immediately upon the completion of such bridge, file with the State highway departments of the States of West Virginia and Kentucky, an itemized sworn statement of the actual original cost of such bridge and its approaches and appurtenances, including any reasonable actual expenditures for engineering and legal services and any reasonable fees, discounts, and expenditures incurred in connection with the original financing thereof. Such itemized statement of cost may be investigated by the highway department of either of such States at any time within three years after the completion of such bridge and verified or corrected, and its findings shall be conclusive upon all persons subject only to review in a court of equity for fraud or mistake.

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

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

Amendment.

Approved, March 18, 1926.