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CHAP. 225.—An Act Authorizing the construction of a bridge across the Colorado River near Blythe, California.

May 3, 1926.
[H. R. 8190.]
[Public No. 169.]

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 John Lyle Harrington, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Colorado River, at a point suitable to the interests of navigation, near the city of Blythe, California, 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.

Colorado River.
John Lyle Harrington may bridge, near Blythe, Calif.

Construction.
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SEC. 2. There is hereby conferred upon the said John Lyle Harrington, his heirs, legal representatives, and assigns all such rights and powers to enter upon lands and to acquire, condemn, appropriate, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches and terminals as are possessed by railroad corporations for railroad purposes, or by bridge corporations for bridge purposes in the State or States in which such real estate and other property are located upon making just compensation therefor to be ascertained and paid according to the laws of such State or States, and the proceedings therefor shall be the same as in the condemnation and expropriation of property in such State or States.

Authorized to acquire real, etc., property for approaches, etc.

SEC. 3. The said John Lyle Harrington, his heirs, legal representatives, and assigns, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in such act of March 23, 1906.

Tolls allowed.
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SEC. 4. After the date of completion of such bridge, as determined by the Secretary of War, either the State of California, the State of Arizona, any political subdivision of either of such States, 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 approaches, and interests in real property necessary therefor, by purchase, or by condemnation in accordance with the law of either of such States governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of twenty years after the completion of such bridge it is acquired by condemnation, 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 approaches, less a reasonable deduction for actual depreciation in respect of such bridge and approaches, (2) the actual cost of acquiring such interests in real property, (3) actual financing and promotion costs (not to exceed 10 per centum of the sum of the cost of construction of such bridge and approaches and the acquisition of such interests in real property), and (4) actual expenditures for necessary improvements.

Acquisition authorized, after completion, by California, Arizona, etc.

Compensation, if acquired by condemnation.

Limitation.

SEC. 5. The said John Lyle Harrington, his heirs, legal representatives, and assigns shall within ninety days after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and approaches, including the actual cost of acquiring interests in real property and actual financing and promotion costs. Within three years after the completion of such bridge, the Secretary of War may investigate the actual cost of such bridge, and for such

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

Investigation by Secretary of War.

purpose the said John Lyle Harrington, his heirs, legal representatives, and assigns, shall make available to the Secretary of War all of his records in connection with the financing and construction thereof. The findings of the Secretary of War as to such actual original cost shall be conclusive subject only to review in a court of equity for fraud or gross mistake.

Findings of Secretary conclusive.

Operation, etc., by State, etc., as toll bridge.

SEC. 6. If such bridge shall be taken over and acquired by the States or political subdivisions thereof under the provisions of section 4 of this Act, the same may thereafter be operated as a toll bridge; in fixing the rates of toll to be charged for the use of such bridge, the same shall be so adjusted as to provide as far as possible a sufficient fund to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the amount paid therefor within a period of not to exceed thirty years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring such bridge and its approaches shall have been provided, the bridge shall thereafter be maintained and operated free of tolls or the rates of toll shall be so adjusted as to provide a fund not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for acquiring the bridge and its approaches, the expenditures for operation, repairing, and maintaining the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Provision for free bridge, etc.

Record of all expenses, receipts, etc., to be kept.

Right to sell, etc., conferred.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and the privileges conferred by this Act is hereby granted to the said John Lyle Harrington, his heirs, legal representatives, and assigns, and any corporation to which such rights, powers, and privileges may be sold, assigned, or transferred, or which 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.

Amendment.

SEC. 8. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 3, 1926.

May 3, 1926.
[H. R. 9758.]
[Public, No. 170.]

CHAP. 226.—An Act Granting the consent of Congress to the Vicksburg Bridge and Terminal Company to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Vicksburg, Mississippi.

Mississippi River. Vicksburg Bridge and Terminal Company may bridge, at Vicksburg, Miss.

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 Vicksburg Bridge and Terminal Company, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, between a point in the city of Vicksburg, Mississippi, at or near the crossing of the Dixie Overland Highway, and a point opposite in the State of Louisiana, at or near the continuation of the Dixie Overland Highway, 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.

Construction.

Vol. 34, p. 84.

Authorized to acquire real property, etc., for approaches, etc.

SEC. 2. There is hereby conferred upon the said Vicksburg Bridge and Terminal Company, its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, appropriate, occupy, possess, and use real estate and other property