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June 14, 1926.
[H. R. 12018.]
[Public, No. 390.]

CHAP. 582.—An Act Granting the consent of Congress to W. E. Buell, of Seattle, Washington, to construct a bridge across Port Washington Narrows within the city of Bremerton in the State of Washington.

Port Washington Narrows.
W. E. Buell may bridge, at Bremerton, Wash.

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 W. E. Buell, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge and approaches thereto across Port Washington Narrows, at a point suitable to the interests of navigation, within the city of Bremerton, in the State of Washington, 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.

Acquisition authorized by Washington, etc., after completion.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Washington, 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 interests in real property necessary therefor, by purchase or condemnation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of twenty-five years after the completion of such bridge the same 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 its approaches, less a reasonable deduction for actual depreciation in value, (2) the actual cost of acquiring such interests 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.

Compensation if acquired by condemnation.

Limitation.

Operation as toll bridge, etc., if acquired by a municipality, etc.

SEC. 3. If such bridge shall at any time be taken over or acquired by any municipality or other political subdivision or subdivisions of the State of Washington under the provisions of section 3 of this Act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the amount paid for such bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed fifteen years from the date of acquiring the same. After a sinking fund sufficient to amortize the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of 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 the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of daily tolls collected shall be kept and shall be available for the information of all persons interested.

Maintenance as free bridge, etc., after amortization of construction costs, etc.

Record of expenditures and receipts.

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

SEC. 4. The said W. E. Buell, 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 its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion cost.

The Secretary of War may at any time within three years after the completion of such bridge investigate the actual cost of constructing the same, and for such purpose the said W. E. Buell, his heirs, legal representatives, and assigns, shall make available all of his records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the actual original cost of the bridge shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

Investigation by Secretary of War.

Findings of Secretary conclusive.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to W. E. Buell, his heirs, legal representatives, 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.

Right to sell, etc., conferred.

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

Amendment.

Approved, June 14, 1926.

CHAP. 586.—An Act To authorize the purchase by the city of Yamhill, Oregon, of certain lands formerly embraced in the grant to the Oregon and California Railroad Company and revested in the United States by the Act approved June 9, 1916.

June 15, 1926.
[S. 3655.]
[Public, No. 391.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall be, and is hereby, authorized to issue a patent to the city of Yamhill, Oregon, for the following-described lands, being a part of the lands revested in the United States by the Act of Congress enacted June 9, 1916 (Thirty-ninth Statutes, page 218), to wit: The north half of the northeast quarter of section 9, township 2 south, range 5 west, Willamette meridian, Yamhill County, Oregon, on condition that the said city shall first pay to the United States the sum of $2.50 per acre for said lands: *Provided*, That there shall be reserved to the United States, its permittees or licensees, as to the land so patented, the right to enter thereon and take and use the same for power purposes, in accordance with the terms and conditions of section 24 of the Federal Water Power Act of June 10, 1920 (Forty-first Statutes, page 1063), and to remove from said land all timber which in the opinion of the Secretary of the Interior may be cut and removed without material damage to the watershed, but in the sale of such timber under the provisions of the said Act of June 9, 1916, supra, the said city of Yamhill shall have a preference right of purchase at the highest price bid.

Public lands.
Yamhill, Oreg., may purchase lands in revested Oregon-California Railroad grant.
Vol. 39, p. 218.

Description.

Proviso.
Rights reserved under water power Act.

Vol. 41, p. 1075.

Preference to Yamhill to purchase timber.

SEC. 2. That the Secretary of the Interior shall prescribe all necessary regulations to carry into effect the foregoing provisions of this Act.

Regulations to be prescribed.

Approved. June 15, 1926.

CHAP. 587.—An Act Limiting the creation or extension of forest reserves in New Mexico and Arizona.

June 15, 1926.
[S. 565.]
[Public, No. 392.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter no forest reservation shall be created, nor shall any additions be made to one heretofore created, within the limits of the States of New Mexico and Arizona except by Act of Congress.

National forests.
Creation or additions in New Mexico and Arizona of, forbidden except by Act of Congress.

Approved, June 15, 1926.