

SEC. 6. C. J. Abbott, his heirs, legal representatives and assigns, shall within ninety days after the completion of such bridge file with the Secretary of War, and with the highway departments of the States of Illinois and Kentucky, 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 property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said C. J. Abbott, his heirs, legal representatives, and assigns, shall make available all of his records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this Act, subject only to review in a court of equity for fraud or gross mistake.

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

Investigation by Secretary of War.

Findings of Secretary, conclusive.

Right to sell, etc., conferred.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to C. J. Abbott, 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.

Amendment.

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

Approved, March 16, 1928.

CHAP. 227.—An Act Authorizing A. Robbins, of Hickman, Kentucky, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near Hickman, Fulton County, Kentucky.

March 16, 1928.
[H. R. 7921.]
[Public, No. 177.]

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, A. Robbins, of Hickman, Kentucky, his heirs, legal representatives, and assigns, be, and is hereby, authorized 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 at or near Hickman, Fulton County, Kentucky, and a point opposite thereto, in Mississippi County, Missouri, 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.

Mississippi River.
A. Robbins may bridge, at Hickman, Ky.

Construction
Vol. 34, p. 84.
Post, p. 1532.

SEC. 2. There is hereby conferred upon the said A. Robbins, his heirs, legal representatives, and assigns, 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, 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 in which such real estate or other property is situated, upon making

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

Condemnation proceedings.

Tolls authorized.

Vol. 34, p. 85.

Acquisition authorized, after completion, by Kentucky, Missouri, etc.

Compensation if acquired by condemnation.

Limitations.

Tolls under State, etc., operation.

Rates applied to operation, sinking fund, etc.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

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

Investigation by the Secretary of War.

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.

SEC. 3. The said A. Robbins, his heirs, legal representatives, 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.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Kentucky, the State of Missouri, any public agency, or 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 its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of twenty years after the completion of such bridge the same is acquired by condemnation or expropriation, 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.

SEC. 5. If such bridge shall be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this Act, and if tolls are thereafter charged for the use thereof, the rates of toll 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 amount paid therefor, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring the bridge and its approaches 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 repair, maintenance, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for operating, 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.

SEC. 6. A. Robbins, his heirs, legal representatives, and assigns, shall, within ninety days after the completion of such bridge, file with the Secretary of War and with the highway departments of the States of Kentucky and Missouri, 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 costs. The Secretary of War may, and upon request of either of such highway departments shall, at any time within three years

after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of cost so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation A. Robbins, his heirs, legal representatives, and assigns shall make available all of the records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this Act, subject only to review in a court of equity for fraud or gross mistake.

Findings of Secretary
conclusive.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to A. Robbins, 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. 8. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, March 16, 1928.

CHAP. 228.—An Act Providing for horticultural experiment and demonstration work in the semiarid or dry-land regions of the United States.

March 19, 1928.

[S. 2569.]

[Public, No. 178.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture be, and he is hereby, authorized and directed to cause such shade, ornamental, fruit, and shelter-belt trees, shrubs, vines, and vegetables as are adapted to the conditions and needs of the semiarid or dry-land regions of the United States, to be propagated at an experiment station of the Department of Agriculture to be established at or near Cheyenne, Wyoming, and seedlings and cuttings and seeds of such trees, shrubs, vines, and vegetables to be distributed free of charge under such regulations as he may prescribe for experimental and demonstration purposes within the semiarid or dry-land regions of the United States.

Horticultural experi-
ment station, Wyom-
ing.

Authorized for prop-
agating seeds and cut-
tings of trees, etc., for
semiarid lands.

SEC. 2. That for carrying out the purposes of this Act, including the erection of buildings, there is hereby authorized to be appropriated the sum of \$100,000, out of any money in the Treasury not otherwise appropriated, to be expended under the supervision of the Secretary of Agriculture.

Amount authorized.

SEC. 3. That there is hereby authorized to be appropriated each fiscal year thereafter necessary appropriations to enable the Secretary of Agriculture to carry on the experiments contemplated by this Act.

Annual appropria-
tion authorized.

Post, p. 551.

Approved, March 19, 1928.

CHAP. 230.—An Act To authorize the city of Muskogee, Oklahoma, to remove and retain title to the boilers from the Municipal Hospital Building recently conveyed by the city to the United States Veterans' Bureau Hospital Numbered 90, at Muskogee, Oklahoma.

March 21, 1928.

[H. R. 4904.]

[Public, No. 179.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the city of Muskogee, Oklahoma, through its authorized representatives be, and

Muskogee, Okla.