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51 east, Montana principal meridian, as lie between Mizpah and Pumpkin Creeks, in the State of Montana, whereby such lands and lands within the same area belonging to the United States may be jointly leased for a period of not to exceed ten years to stockmen owning lands within or adjacent to the said area, under such rules and regulations as the Secretary of the Interior may prescribe; and to enter into such an agreement and issue such a lease to a regularly organized association of such stockmen as will fulfill the purposes of this Act: *Provided*, That the lands of the United States within the said area shall be withdrawn from all forms of homestead entry during the period of said lease but shall remain subject to the mineral land laws of the United States: *And provided further*, That any lease issued under the provisions of this Act shall be for grazing and range development purposes only: *And provided further*, That the Secretary of the Interior is hereby authorized to cooperate with any department of the Government in carrying out the purposes of this Act with a view to securing the fullest possible benefit to the Government and the livestock industry of such studies as may be made of the operation and results of said cooperative agreements and leases.

Associations authorized.

Provisos.
Lands withdrawn from homestead entry, but subject to minerals.

Leases for grazing and range purposes only.

Cooperation with other departments, for benefit of livestock industry.

Approved, March 29, 1928.

March 29, 1928.
[H. R. 7198.]
[Public, No. 211.]

CHAP. 281.—An Act Authorizing Henry Thane, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near Arkansas City, Arkansas.

Mississippi River.
Henry Thane may bridge, at Arkansas City, Ark.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, Henry Thane, 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, at or near Arkansas City, Desha County, Arkansas, and a point opposite in Bolivar County, Mississippi, 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.
Post, p. 1511.

SEC. 2. There is hereby conferred upon Henry Thane, 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 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.

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

Condemnation proceedings.

SEC. 3. The said Henry Thane, 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.

Tolls authorized.

Vol. 34, p. 85.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Arkansas, the State of Mississippi, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located,

Acquisition authorized, after completion, by Arkansas, Mississippi, etc.

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 interest in real property, (3) actual financing and promotion costs, 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.

Limitations.

Tolls under State, etc., operation.

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 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 date of acquiring the same. 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 amount paid for acquiring the bridge and its approaches, the actual 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.

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.

SEC. 6. The said Henry Thane, 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 Arkansas and Mississippi, 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 Henry Thane, his heirs, legal representatives, and assigns, shall make available all 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.

Examination by Secretary of War.

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 Henry Thane, 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 29, 1928.

CHAP. 282.—An Act Granting the consent of Congress to Frank E. Merrill, carrying on business under the name and style of Frank E. Merrill and Company's Algonquin Shores Realty Trust, to construct, maintain, and operate a footbridge across the Fox River.

March 29, 1928.
[H. R. 9350.]
[Public. No. 212.]

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 Frank E. Merrill, carrying on business under the name and style of Frank E. Merrill and Company's Algonquin Shores Realty Trust, his heirs, legal representatives, and assigns, to construct, maintain, and operate a free footbridge and approaches thereto across the Fox River at a point suitable to the interests of navigation in the County of Kane, State of Illinois, in section 3, township 42 north, range 8 east of the third principal meridian, and about one-half mile south of the south limits of Algonquin, Illinois, in accordance with the provisions of an 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.

Fox River.
Frank E. Merrill may construct, etc., free footbridge across, near Algonquin, Ill.

Construction.
Vol. 34, p. 84.

SEC. 2. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to Frank E. Merrill, carrying on business under the name and style of Frank E. Merrill and Company's Algonquin Shores Realty Trust, his heirs, legal representatives, and assigns; and any party 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 to exercise the same as fully as though conferred herein directly upon such party.

Right to sell, etc., conferred.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, March 29, 1928.

CHAP. 283.—An Act Granting the consent of Congress to the city of Saint Charles, State of Illinois, to widen, maintain, and operate a bridge across the Fox River within the city of Saint Charles, State of Illinois.

March 29, 1928.
[H. R. 9361.]
[Public, No. 213.]

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 city of Saint Charles, State of Illinois, to widen, maintain, and operate a bridge across the Fox River, at or near Main Street within said city and State in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Fox River.
Saint Charles, Ill., may operate, etc., bridge across.
Vol. 34, p. 84.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, March 29, 1928.