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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 the said H. L. McKee, 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.

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 H. L. McKee, 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. There is hereby granted to H. L. McKee, his heirs, legal representatives, and assigns, a right of way not to exceed one hundred feet in width across the spoil bank of the ship canal at such location, to be approved by the Chief of Engineers, as will provide a highway connection or connections between the bridge authorized by this Act and any bridge or bridges that are or may hereafter be constructed across the ship canal, the United States to retain such free use of the right of way as does not interfere with the bridge approach: *Provided*, That no toll shall be charged for use of the approach to be built on United States property. The duration of such right of way shall terminate with the termination of the franchise granted by this Act for the construction of the bridge and shall attach to and become a part of such bridge, and shall pass with the same in any transfer thereof.

Right of way granted across bank of ship canal.

Proviso.
No toll on Federal property.

SEC. 9. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 18, 1928.

CHAP. 634.— An Act Authorizing the State of Texas and the State of Louisiana to construct, maintain, and operate a free highway bridge across the Sabine River at or near Pendleton's Ferry.

May 18, 1928.
[S. 4254.]
[Public, No. 433.]

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, the State Highway Commission of Texas and the Louisiana Highway Commission be and are hereby authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Sabine River, between Sabine County, Texas, and Sabine Parish, Louisiana, at a point suitable to the interests of navigation, at or near Pendleton's Ferry, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sabine River.
Texas and Louisiana may bridge, at Pendleton's Ferry, Tex. and La.

Construction.
Vol. 34, p. 84.

SEC. 2. There is hereby conferred upon the State Highway Commission of Texas and the Louisiana Highway Commission 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

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

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.

Condemnation proceedings.

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

Amendment.

Approved, May 18, 1928.

May 18, 1928.
[S. 4288.]
[Public, No. 434.]

CHAP. 635.—An Act Authorizing the State highway commission, Commonwealth of Kentucky, to construct, maintain, and operate a bridge across the South Fork of the Cumberland River at or near Burnside, Pulaski County, Kentucky.

Cumberland River, South Fork of.
Kentucky may bridge, at Burnside.
Post, p. 1501.

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 State highway commission, Commonwealth of Kentucky, to construct, maintain, and operate a bridge and approaches thereto across the South Fork of the Cumberland River, at a point suitable to the interests of navigation, at or near Burnside, Pulaski County, Kentucky, 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.

Construction.
Vol. 34, p. 84.

Rates of toll applied to operation, sinking fund, etc.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay 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 cost of the bridge and its approaches, 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 completion thereof. 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 costs of the bridge and its approaches, the 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.

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

Record of expenditures and receipts.

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

Amendment.

Approved, May 18, 1928.

May 18, 1928.
[S. 4289.]
[Public, No. 435.]

CHAP. 636.—An Act Authorizing the State highway commission, Commonwealth of Kentucky, to construct, maintain, and operate a bridge across the Cumberland River at or near Neelys Ferry in Cumberland County, Kentucky.

Cumberland River.
Kentucky may bridge, at Neelys Ferry.

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 State highway commission, Commonwealth of Kentucky, to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River, at a point suitable to the interests of navigation, at or near Neelys Ferry, Cumberland County, Kentucky, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over

Construction.
Vol. 34, p. 84.
Post, p. 1528.