

by H. A. Rinder, his heirs, legal representatives, and assigns, by Act of Congress approved May 22, 1928, and extended by Act of Congress approved March 4, 1929, are hereby further extended one and three years, respectively, from May 22, 1930.

Vol. 45, pp. 703, 1562.

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

Amendment.

Approved, March 3, 1930.

CHAP. 62.—An Act Authorizing Oscar Baertch, Christ Buhmann, Fred Reiter, and John W. Shaffer, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near Alma, Wisconsin.

March 3, 1930.
[H. R. 7260.]
[Public, No. 59.]

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, Oscar Baertch, Christ Buhmann, Fred Reiter, and John W. Shaffer, their heirs, legal representatives, and assigns, be, and they are 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 Alma, Buffalo County, Wisconsin, to a point opposite thereto in Wabasha County, Minnesota, 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.
Oscar Baertch, etc.,
may bridge, at Alma,
Wis.

SEC. 2. There is hereby conferred upon Oscar Baertch, Christ Buhmann, Fred Reiter, and John W. Shaffer, their 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.

Construction.
Vol. 34, p. 64.

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

SEC. 3. The said Oscar Baertch, Christ Buhmann, Fred Reiter, and John W. Shaffer, their heirs, legal representatives, and assigns, are 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.

Condemnation pro-
ceedings.

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 Wisconsin, the State of Minnesota, 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

Acquisition author-
ized, after completion,
by Wisconsin, Minne-
sota, etc.

Compensation, if ac-
quired by condem-
nation.

Limitation.

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 costs, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

Tolls under States,
etc., operation.

Rates applied to
operation, sinking
fund, etc.

Maintenance as free
bridge, etc., after amor-
tizing costs.

Record of expendi-
tures and receipts.

Sworn statement of
construction costs, etc.,
to be filed after com-
pletion.

Examination by Sec-
retary of War.

Finding of Secretary
conclusive.

Right to sell, etc.,
conferred.

SEC. 5. If such bridge shall be taken over and 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 rate 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.

SEC. 6. The said Oscar Baertch, Christ Buhmann, Fred Reiter, and John W. Shaffer, their 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 Wisconsin and Minnesota 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 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 Oscar Baertch, Christ Buhmann, Fred Reiter, and John W. Shaffer, their heirs, legal representatives, and assigns shall make available all their records in connection with the construction, financing, and promotion thereof. The finding 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.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to Oscar Baertch, Christ Buhmann, Fred Reiter, and John W. Shaffer, their 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.

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

Amendment.

Approved, March 3, 1930.

CHAP. 63.—An Act To extend the times for commencing and completing the construction of a bridge across the Rio Grande at Presidio, Texas.

March 3, 1930.

[H. R. 7631.]

[Public, No. 60.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge across the Rio Grande at Presidio, Texas, authorized to be built by the Kansas City, Mexico and Orient Railway Company of Texas and the Kansas City, Mexico and Orient Railway Company, a corporation organized under the laws of the State of Kansas, their successors and assigns, by the Act of Congress, approved February 16, 1928, are hereby extended one and three years, respectively, from February 16, 1930.

Rio Grande.
Time extended for
bridging, at Presidio,
Tex.

Vol. 45, p. 116, amend-
ed.

Amendment.

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

Approved, March 3, 1930.

CHAP. 64.—An Act Granting the consent of Congress to the State of Montana or the county of Richland, or both of them, to construct, maintain, and operate a free highway bridge across the Yellowstone River at or near Sidney, Montana.

March 3, 1930.

[H. R. 7828.]

[Public, No. 61.]

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 of Montana or the county of Richland, or both of them, to construct, maintain, and operate a free highway bridge and approaches thereto across the Yellowstone River, at a point suitable to the interests of navigation, at or near Sidney, Montana, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Yellowstone River.
Montana or Rich-
land County, may
bridge, at Sidney.

Construction.
Vol. 34, p. 84.

Amendment.

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

Approved, March 3, 1930.

CHAP. 65.—An Act Granting the consent of Congress to the Morgan's Louisiana and Texas Railroad and Steamship Company, a corporation, its successors and assigns, to construct, maintain, and operate a railroad bridge across the Intracoastal Canal.

March 3, 1930.

[S. 3197.]

[Public, No. 62.]

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 Morgan's Louisiana and Texas Railroad and Steamship Company, a corporation of the State of Louisiana, its successors and assigns, to construct, maintain, and operate a railroad bridge and approaches thereto across the Intracoastal Canal at a point about eighty-seven one-hundredths mile from Houma, in Terrebonne Parish, State of Louisiana, in accordance with the provisions of an Act of Congress entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That the Secretary of War may, upon such terms and conditions that he may deem equitable and just to the public, grant to the said company a right of way across the lands of the United States on either side of and adjacent to the

Intracoastal Canal.
Morgan's Louisiana
and Texas Railroad
and Steamship Com-
pany may bridge, near
Houma, La.

Construction.
Vol. 34, p. 84.

Proviso.
Right of way, etc.
Post, p. 153.