AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

next of kin of employees, contained in the "Independent Offices Appropriation Act, 1937" and reappropriated in the "Independent Offices Appropriation Act, 1938": *Provided*, That such amount shall be available until expended for making payments required under said retirement acts, and the amount not required for current payments shall be invested by the Secretary of the Treasury in accordance with the provisions of said Railroad Retirement Act of June 24, 1937: *Provided further*, That all payments under sections 3, 4, and 5 of the Railroad Retirement Act, 1935, heretofore made from the appropriation contained in the "Independent Offices Appropriation Act, 1937", and reappropriated in the "Independent Offices Appropriation Act, 1938", shall be considered as having been made from the railroad retirement account herein established.

49 Stat. 1178; *Ante*, p. 341.

Provisos.
Availability.

Investments.

Ante, p. 316.

Accounting.

49 Stat. 1178; *Ante*, p. 340.

DEPARTMENT OF AGRICULTURE

Department of Agriculture.

Rent in District of Columbia.

Rent of buildings: Not to exceed $30,000 of such funds available to the Department of Agriculture for the fiscal year 1938, as the Secretary of Agriculture may determine, may be transferred to the appropriation for rent of buildings in the District of Columbia for such Department for such fiscal year.

TREASURY DEPARTMENT

Treasury Department.

Government losses in shipment fund.
Post, p. 479.

For the establishment of "the fund for the payment of Government losses in shipment", authorized by the "Government Losses in Shipment Act", $500,000.

Retroactive provision.

SEC. 2. The appropriations and authority with respect to appropriations contained herein shall be available from and including July 1, 1937, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1937, and the date of the enactment of this Joint Resolution in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

Approved, July 1, 1937.

[CHAPTER 426]

AN ACT

July 2, 1937
[S. 2156]
[Public, No. 178]

To amend the Act relating to the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, approved June 10, 1930, and for other purposes.

Missouri River.
Time extended for bridging, at Omaha, Nebr.
46 Stat. 544; 49 Stat. 289.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for completing the construction of the bridge at or near Farnam Street, authorized under the provisions of section 3 of the Act entitled "An Act to authorize the construction of certain bridges and to extend the times for commencing and completing the construction of other bridges over the navigable waters of the United States", approved June 10, 1930, as extended, is hereby further extended one year from June 10, 1938. It is hereby recognized that construction has been heretofore commenced under the provisions of section 3 of said Act as extended, and said bridge may be constructed at any point, providing the west end of said bridge is within two thousand feet of the center line of said Farnam Street, irrespective of the site of the commencement hereby recognized, subject to the approval of the War Department and the approval of either of the Highway Departments of the States of Iowa or Nebraska, all in accordance with and subject to the provisions of said Act approved June 10, 1930, as extended, and as amended by this Act.

Commencement recognized.

Location.

SEC. 2. Any bridge constructed or to be constructed or owned and operated by the Omaha-Council Bluffs Missouri River Bridge Board

Bridge deemed Federal instrumentality.

of Trustees under said Act of 1930, as herein amended, shall be deemed a Federal instrumentality for facilitating interstate commerce, improving the postal service, and providing for military and other governmental purposes.

Acquisition, etc., of other bridges.

SEC. 3. That in addition to the powers granted by said Act of 1930, said the Omaha-Council Bluffs Missouri River Bridge Board of Trustees may acquire and purchase and thereafter operate any other bridge or bridges (including approaches) over the Missouri River, which (including approaches) abuts upon or enters into the corporate limits of either or both the cities of Omaha, Nebraska, and Council Bluffs, Iowa, all in the manner provided by this Act and said Act of 1930, it being contemplated that all bridges owned and operated by said Board will be so financed that the obligations incurred will be amortized and the travel over such bridge or bridges will be made free of tolls at the same time. It shall be obligatory upon said Board that all toll revenues after paying the reasonable and proper charges of operation and maintenance and the accruing interest on the outstanding indebtedness be applied to the retirement of such indebtedness. The rate or rates of toll for crossing any bridge now or hereafter constructed which abuts upon or enters into the present corporate limits of both the cities of Omaha, Nebraska, and Council Bluffs, Iowa, shall not be reduced below the rate or rates now in effect on existing bridges so long as any indebtedness of said Board for the account of any bridge or bridges shall be outstanding and unpaid. To pay the cost of any such bridge or bridges so purchased the board may either separately, or in conjunction with the financing of any other bridge, issue bonds as provided in said Act of 1930 as herein amended: *Provided*, That said Board shall operate each of the bridges under its control and charge and collect such rates of toll for transit over same as will not reflect upon or impair the earnings of any other bridge operated by said board, or of which the construction was financed in whole or in part by a loan and a grant from the United States of America, or any agency or instrumentality thereof, to such extent as to adversely affect any outstanding bonds which may have been issued for account of such other bridge: *Provided further*, That the power granted in this section with respect to the acquisition and purchase of any other bridge shall not be exercised by said the Omaha-Council Bluffs Missouri River Board of Trustees until all terms of the proposed acquisition and purchase of any such bridge shall have been approved by the Highway Departments of the States of Iowa and Nebraska. The construction of no competing bridge shall hereafter be authorized, the operation of which will adversely affect such outstanding bonds, unless provision is otherwise made for the payment thereof: *Provided further*, That the rates of toll to be charged for transit over bridges operated by said Board shall at all times be subject to regulation by the Secretary of War under the authority contained in the Act of March 23, 1906.

Amortization of incurred obligations.

Toll rates.

Bond issue.

Provisos.
Operation not to impair earnings of any other bridge, etc.

Power to acquire any other bridge conditional upon State approval.

Regulation of toll rates.
34 Stat. 85.
33 U. S. C. § 494.

SEC. 4. That either the State of Nebraska and the State of Iowa, separately or jointly, or the cities of Omaha and Council Bluffs, separately or jointly, or the counties of Douglas, Nebraska, and Pottawattamie, Iowa, separately or jointly, may at any time acquire and take over all right, title, and interest in all of the bridges, including approaches, and including any interest in real property necessary therefor, then owned and operated by said Board. It shall not be necessary to condemn or expropriate such property, but the said the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives and assigns, shall deliver same by proper instrument of conveyance; and no damages or compensation whatsoever

Acquisition authorized by States, cities, and counties designated.

Conveyance by Board of Trustees.

shall be allowed for any such right, title, and interest, but such conveyance shall be made and taken subject to the bonds, debentures, or other instruments of indebtedness of said Board then outstanding, including accrued interest thereon. Such instrument of conveyance shall be executed and delivered within a period of thirty days after a written notice of such intention to take over such property.

Right to acquire, etc., property.

SEC. 5. That in addition to the powers granted by said Act of 1930, as extended, said the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives and assigns, are hereby granted power and authority to acquire, condemn, occupy and possess and use real estate and other property acquired for or devoted to a public use for park or other purposes by the State of Nebraska or the State of Iowa, or any governmental or political subdivision thereof, or any person or corporation which real estate or other property may be required for the location, construction, operation, and maintenance of such bridge and its approaches and highways leading thereto, 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 condemnation or expropriation of property for public purposes in such State.

Location, approaches, etc.

Federal aid. Expenditure. 23 U. S. C. §§ 1-25.

SEC. 6. Said bridge may be constructed with the aid of any Federal funds appropriated and apportioned to the States of Iowa and Nebraska, or either of them, for expenditure under the Federal Highway Act, as amended and supplemented, and the limitations of such Act, as amended and supplemented, relating to the construction of toll bridges with Federal funds, and the use of tolls controlled for transit over bridges so constructed and operated shall not be applicable to the tolls authorized to be charged under the provisions of this Act.

Amendment.

SEC. 7. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 2, 1937.

[CHAPTER 427]

AN ACT

July 5, 1937
[H. R. 2703]
[Public, No. 179]

To provide for the representation of the United States Court of Appeals for the District of Columbia on the annual conference of senior circuit judges.

United States Court of Appeals for the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 2 of the Act entitled "An Act for the appointment of an additional circuit judge for the fourth judicial circuit, for the appointment of additional district judges for certain districts, providing for an annual conference of certain judges, and for other purposes", approved September 14, 1922 (42 Stat. 838; U. S. C., title 28, sec. 218), is hereby amended to read as follows:

42 Stat. 838. 28 U. S. C. § 218.

Representation of, at annual conference of senior circuit judges.

SEC. 2. "It shall be the duty of the Chief Justice of the United States, or in case of his disability, of one of the other Justices of the Supreme Court, in order of their seniority, as soon as may be after the passage of this Act, and annually thereafter, to summon to a conference on the last Monday in September, at Washington, District of Columbia, or at such other time and place in the United States as the Chief Justice, or, in case of his disability, any of said Justices in order of their seniority, may designate, the senior circuit judge of each judicial circuit and the chief justice of the United States Court of Appeals for the District of Columbia. If any senior circuit judge is unable to attend, the Chief Justice, or in case of his disability, the Justice of the Supreme Court calling said

Time and place.

Substitute for senior circuit judge.