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grams, if any, and recommendations. Special emphasis in these reports shall be placed on the utility of rotary-wing and other aircraft at the present time and the promise this type of aircraft holds for the future in the opinion of the chief of each agency concerned.

Allocation for private construction.

The sum of $600,000 is to be taken by the Secretary of War from this appropriation and used exclusively in the placing of contracts for the construction of improved and experimental types of rotary-wing and other aircraft by private industry.

Approved, June 30, 1938.

[CHAPTER 853]

AN ACT

June 30, 1938
[H. R. 10632]
[Public, No. 788]

Authorizing the Port Authority of Duluth, Minnesota, and the Harbor Commission of Superior, Wisconsin, to construct a highway bridge across the Saint Louis River from Rice's Point in Duluth, Minnesota, to Superior in Wisconsin.

Saint Louis River. Duluth, Minn., and Superior, Wis., may bridge.

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 Port Authority of Duluth, Minnesota, and the Harbor Commission of Superior, Wisconsin, their successors and assigns, are hereby authorized to construct, maintain, and operate a highway bridge and approaches thereto over and across the Saint Louis River from the lower end of Rice's Point in Duluth, Minnesota, to the vicinity of the lower end of Banks Avenue extended to the shore line in Superior, Wisconsin, 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.

34 Stat. 84.
33 U. S. C. §§ 491–498.

Acquisition of property.

SEC. 2. There is hereby conferred upon the Port Authority of Duluth, Minnesota, and the Harbor Commission of Superior, Wisconsin, 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 real estate or other property is situated, upon making a 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.

Federal aid.

SEC. 3. Notwithstanding any restriction or limitation imposed by the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, or by the Federal Highway Act, or by any Act amendatory of or supplemental to either thereof, the Secretary of Agriculture may extend Federal aid under such Acts, for the construction of said bridge, out of any moneys allocated to the State of Minnesota with the consent of the department of highways of said State, and out of any moneys allocated to the State of Wisconsin, with the consent of the department of highways of said State: *Provided*, That notwithstanding any of the provisions of this Act, the port authorities shall have full power and authority to negotiate and enter into a contract or contracts with the State Highway Commission of the State of Wisconsin and the State Highway Commission of the State of Minnesota, or with either of them, or with any other public body, whereby the port authorities may receive financial aid in the construction of the bridge and approaches thereto, and the

39 Stat. 355.
16 U. S. C. § 503; 23 U. S. C. §§ 12a, 48.

Proviso.
Contracts.

port authorities may make and enter into any contract or contracts which they deem expedient and proper with both the said State highway commissions or either of them whereby both said State highway departments or either of them may construct, operate, and maintain, or participate with the port authorities in the construction, operation, and maintenance of said bridge and approaches.

Purpose declared.

SEC. 4. It is hereby declared to be the purpose of Congress to facilitate the construction of a bridge and proper approaches across the Saint Louis River between Duluth, Minnesota, and Superior, Wisconsin, and to authorize the port authorities to promote said object and purposes for the greater safety of navigation, in accordance with this Act.

Bonds, etc.

SEC. 5. The port authorities or their successors and assigns are hereby authorized to provide for the payment of the cost of the bridge and its approaches by an issue or issues of negotiable bonds or negotiable certificates of indebtedness of the port authorities bearing interest at not more than 6 per centum per annum, the principal and interest of which bonds or certificates of indebtedness and any premium to be paid for retirement thereof before maturity shall be payable solely from the sinking fund provided in accordance with the Act. Such bonds or certificates of indebtedness may be registrable as to principal alone or both principal and interest, shall be in such form not inconsistent with this Act, shall mature at such time or times not exceeding thirty years from their respective dates, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the port authorities may determine. The port authorities may repurchase and may reserve the right to redeem all or any of said bonds or certificates of indebtedness before maturity in such manner and at such price or prices not exceeding 105 and accrued interest, as may be fixed by them prior to the issuance of the bonds or certificates of indebtedness. Nothing contained in this Act shall be construed as limiting the powers now possessed or hereafter conferred under any applicable law of the State of Minnesota or the State of Wisconsin authorizing and empowering the Port Authority of Duluth or the Harbor Commission of Superior to issue and sell negotiable bonds or negotiable certificates of indebtedness; and the provisions of this Act shall be deemed supplemental and in addition to all powers now possessed or hereafter conferred upon either of the said Port Authority of the city of Duluth and the said Harbor Commission of the city of Superior.

Interest rate.

Form, maturity, denominations.

Redemption.

Provisions supplemental to powers of local authorities.

Approval of location and plans.
34 Stat. 84.
33 U. S. C. §§ 491–498.

SEC. 6. Subject to and in accordance with the provisions of the General Bridge Act approved March 23, 1906, the Harbor Commission of Superior and the Port Authority of Duluth may jointly or severally make written application to the Secretary of War for the approval of the location and plans of said bridge. Upon the filing of said application, due notice to all interested parties of the filing of such application, and notice of hearing thereon shall be given. If such application be approved, the instrument of approval shall be issued to the Duluth Port Authority and the Harbor Commission of Superior, jointly, unless the said port authority or the said harbor commission shall file with the Secretary of War, within thirty days of the receipt of such notice of approval, its refusal to accept such instrument of approval. Upon any such refusal being filed with the Secretary of War, the instrument of approval shall forthwith be issued to the port authority or harbor commission, as the case may be, which shall file with the Secretary of War its written acceptance of such approval.

Tolls.

SEC. 7. The port authorities 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.

Application of tolls to maintenance, sinking fund, etc.

In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintenance, repairing, and operating the bridge and its approaches under efficient and economical management, and to provide a sinking fund sufficient to amortize the cost of such 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 thirty years from the completion thereof. After a sinking fund sufficient for such amortization and for the maintenance of said bridge and the approaches thereto shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditure 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 after amortizing costs.

Record of expenses and receipts.

Amendment.

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

Approved, June 30, 1938.