

Existing rights not affected.

the Secretary of the Interior is hereby authorized and empowered to determine the facts and to declare such forfeiture and such reversion and to restore said lands to the public domain: *Provided*, That this grant shall not include any land which on the date of the approval of the Act is covered by any existing bona fide right or claim under the laws of the United States, unless and until such right or claim is relinquished or extinguished.

Approved, May 12, 1928.

May 12, 1928.
[S. 3824.]
[Public, No. 374.]

CHAP. 533.—An Act To correct the descriptions of land comprising the Bryce Canyon National Park as contained in the Act approved June 7, 1924, entitled "An Act to establish the Utah National Park in the State of Utah," and the Act approved February 25, 1928, entitled "An Act to change the name of the Utah National Park, the establishment of which is provided for by the Act of Congress approved June 7, 1924 (Forty-third Statutes, page 593), to the 'Bryce Canyon National Park,' and for other purposes."

Bryce Canyon National Park, Utah.
Vol. 43, p. 593, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of land described in section 1 of the Act approved June 7, 1924, entitled "An Act to establish the Utah National Park in the State of Utah," be, and the same is hereby, amended to read as follows:

New area described.

"Unsurveyed sections 31 and 32, township 36 south, range 3 west; surveyed section 36, township 36 south, range 4 west; north half, southwest quarter and west half of the southeast quarter of partially surveyed section 5; unsurveyed sections 6 and 7, west half, west half of the northeast quarter, and west half of the southeast quarter of partially surveyed section 8, partially surveyed section 17, and unsurveyed section 18, township 37 south, range 3 west; and unsurveyed sections 1, 12, and 13, township 37 south, range 4, all west of the Salt Lake meridian in the State of Utah."

Description modified of lands from Powell National Forest.
Ante, p. 147, amended.

SEC. 2. That the tract of land described in section 2 of the Act approved February 25, 1928, entitled "An Act to change the name of the Utah National Park, the establishment of which is provided for by the Act of Congress approved June 7, 1924 (Forty-third Statutes, page 593), to the 'Bryce Canyon National Park,' and for other purposes," be, and the same is hereby, amended to read as follows:

Corrected description.

"The east half east half section 25, township 36 south, range 4 west; the east half and southwest quarter section 20, and all of sections 21, 29, and 30, township 36 south, range 3 west; all of sections 24 and 25, township 37 south, range 4 west; and all of sections 19 and 30, township 37 south, range 3 west, Salt Lake meridian."

Approved, May 12, 1928.

May 12, 1928.
[H. J. Res. 200.]
[Pub. Res. No. 42.]

CHAP. 534.—Joint Resolution To amend section 10 of the Act entitled "An Act to establish the upper Mississippi River wild life and fish refuge," approved June 7, 1924.

Upper Mississippi River Wild Life and Fish Refuge.
Vol. 43, p. 650.
Vol. 43, p. 1354, amended.
Purchase of land, etc.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the Act entitled "An Act to establish the upper Mississippi River wild life and fish refuge," approved June 7, 1924 (Forty-third Statutes at Large, page 650), as amended by joint resolution of March 4, 1925 (Forty-third Statutes at Large, page 1354), be, and the same is hereby amended by substituting in lieu of the proviso therein contained the following: "*Provided*, That the Secretary of Agriculture shall not pay for any land or land and water a price which shall exceed an average cost of \$10 per acre: *Provided further*,

Provisos.
Purchase price increased.

That this provision shall not apply to any land or land and water heretofore acquired or contracted for under the provisions of this Act."

Former purchases not affected.

Approved, May 12, 1928.

CHAP. 540.—An Act Authorizing the J. K. Mahone Bridge Company, its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Wellsburg, West Virginia.

May 14, 1928.

[S. 797.]

[Public, No. 375.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the J. K. Mahone Bridge Company, its successors and assigns, be and is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation at or near Wellsburg, Brooke County, West Virginia, 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.

Ohio River.
J. K. Mahone Bridge Company may bridge at Wellsburg, W. Va.

Construction.
Vol. 34, p. 84.
Post, p. 1530.

SEC. 2. There is hereby conferred upon the J. K. Mahone Bridge Company, its successors 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 in such State.

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

Condemnation proceedings.

SEC. 3. The said J. K. Mahone Bridge Company, its successors 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 West Virginia, the State of Ohio, 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 or 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, first, the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; second, the actual cost of acquiring such interests in real property; third, actual financing and promotion cost, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in

Acquisition authorized, after completion, by West Virginia, Ohio, etc.

Compensation if acquired by condemnation.

Limitations.