

Corporate powers specified.

SEC. 4. The corporation—

- (a) Shall have perpetual succession;
- (b) May sue and be sued;
- (c) May adopt a corporate seal and alter it at pleasure;
- (d) May adopt and alter by-laws;
- (e) May appoint officers and agents;
- (f) May acquire by purchase, devise, bequest, gift, or otherwise, and hold, encumber, convey, or otherwise dispose of, such real and personal property as may be necessary or appropriate for its corporate purposes;
- (g) May invest and reinvest the principal and interest of its funds; and
- (h) Generally, may do any and all lawful acts necessary or appropriate to carry out the purposes for which the corporation is created.

Annual reports of proceedings, etc., not printed as public documents.

SEC. 5. The corporation shall, on or before the 1st day of December in each year, transmit to Congress and to the President a report of its proceedings and activities for the preceding calendar year, including a detailed statement of its receipts and expenditures. Such reports shall not be printed as public documents.

Amendment, etc.

SEC. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 10, 1930.

June 10, 1930.
[H. R. 9806.]
[Public, No. 330.]

CHAP. 441.—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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Bridges.

COLUMBIA RIVER AT ASTORIA, OREGON

Columbia River.
J. C. Tenbrook, as
mayor of Astoria, Oreg.,
may bridge.

SECTION 1. (a) That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes J. C. Tenbrook, as mayor of Astoria, Oregon, his successors in office and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Columbia River, at a point suitable to the interests of navigation, at or near Astoria, Oregon, 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.

Construction.
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Rights to acquire real estate, etc., for location, approaches, etc.

(b) There is hereby conferred upon J. C. Tenbrook, as mayor of Astoria, Oregon, his successors in office 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.

Condemnation proceedings.

Tolls authorized.

(c) The said J. C. Tenbrook, as mayor of Astoria, Oregon, his successors in office 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.

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(d) After the completion of such bridge, as determined by the Secretary of War, either the State of Oregon, the State of Washington, 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 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.

(e) If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 1 (d) 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 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 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.

(f) The said J. C. Tenbrook, as mayor of Astoria, Oregon, his successors in office 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 Oregon and Washington, 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 the 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 J. C. Tenbrook, as mayor of Astoria, Oregon, his successors in office 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

Acquisition authorized, after completion, by Oregon, Washington, etc.

Compensation, if acquired by condemnation.

Limitations.

Tolls under State, etc., operation.

Rates applied to operation, sinking fund, etc.

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

Record of expenditures and receipts.

Sworn statement of construction costs, etc., to be filed after completion.

Examination by Secretary of War.

Findings of Secretary conclusive.

costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 1 (d) of this Act, subject only to review in a court of equity for fraud or gross mistake.

Right to sell, etc.,
conferred.

(g) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to J. C. Tenbrook, as mayor of Astoria, Oregon, his successors in office 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.

Mississippi River.

MISSISSIPPI RIVER AT SAVANNA, ILLINOIS

C. N. Jenks, and
others, may bridge, at
Savanna, Ill.

SEC. 2. (a) That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, C. N. Jenks, F. J. Stransky, L. H. Miles, John Grandy, and Bruce Machen, their heirs, legal representatives, and assigns, be, and 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 Savanna, Illinois, 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.

Construction.
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Rights to acquire real
estate, etc., for location,
approaches, etc.

(b) There is hereby conferred upon C. N. Jenks, F. J. Stransky, L. H. Miles, John Grandy, and Bruce Machen, 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.

Condemnation pro-
ceedings.

Tolls authorized.

(c) The said C. N. Jenks, F. J. Stransky, L. H. Miles, John Grandy, and Bruce Machen, their heirs, legal representatives, and assigns, as 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.

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Acquisition author-
ized, after completion,
by Illinois, Iowa, etc.

(d) After the completion of such bridge, as determined by the Secretary of War, either the State of Illinois, the State of Iowa, 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 ten 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 such bridge and

Condemnation pro-
ceedings.

Compensation if ac-
quired by condemna-
tion.

Limitations.

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.

(e) If such bridge shall be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them as provided in section 2 (d) 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 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 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.

(f) C. N. Jenks, F. J. Stransky, L. H. Miles, John Grandy, and Bruce Machen, 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 Illinois and Iowa 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 the 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 C. N. Jenks, F. J. Stransky, L. H. Miles, John Grandy, and Bruce Machen, their heirs, legal representatives, and assigns, shall make available all of their 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 2 (d) of this Act, subject only to review in a court of equity for fraud or gross mistake.

(g) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to C. N. Jenks, F. J. Stransky, L. H. Miles, John Grandy, and Bruce Machen, 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.

Tolls under State, etc., operation.

Rates applied to operation, sinking fund, etc.

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

Record of expenditures and receipts.

Sworn statement of construction costs, etc., to be filed, after completion.

Examination by Secretary of War.

Findings of Secretary conclusive.

Right to sell, etc., conferred.

Missouri River.

MISSOURI RIVER AT OMAHA, NEBRASKA

Richard L. Metcalf,
and others, as trustees,
may bridge, at Omaha,
Nebr.

Post, p. 1192.

Plans, etc., to be
adopted.

Construction.

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Trustees designated
"The Omaha-Council
Bluffs Missouri River
Bridge Board of Trus-
tees."

Corporate power con-
ferred.

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

Tolls authorized.

Vol. 34, p. 85.

SEC. 3. (a) That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, Richard L. Metcalf, Mayor of Omaha, Nebraska, and his successors in office, Oscar H. Brown, Mayor of Council Bluffs, Iowa, and his successors in office, Harry H. Lapidus, of Omaha, Nebraska, Mathew E. O'Keefe, of Council Bluffs, Iowa, and C. A. Sorensen, Attorney General of the State of Nebraska, and his successors in office, all as trustees, are hereby authorized and empowered to cause to be prepared and to adopt plans and specifications for, and to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, and to own and hold the same in trust for said cities of Omaha and Council Bluffs and the States of Iowa and Nebraska. Said bridge shall be constructed at a point suitable to the interests of navigation, at or near Farnam Street, Omaha, Nebraska, 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. Said five trustees shall act jointly under the designation and style of "The Omaha-Council Bluffs Missouri River Bridge Board of Trustees" and in that name may construct, operate, and hold said bridge. No act of said Board shall be valid unless concurred in by not less than three members thereof. The first meeting of said Board after the passage of this Act shall be called not less than twenty days subsequent thereto and by not less than three members thereof, and the written notice of said first meeting shall designate the exact place and time. The Board shall select a chairman from its own number but its secretary and treasurer need not be members thereof. The Board shall have all the ordinary and usual powers necessary to carry out the purposes of section 3 of this Act, and in connection therewith may adopt rules of procedure and by-laws; enter into contracts and employ such managers, agents, and clerical help as may be necessary; fill any vacancy caused by the death, resignation, or refusal and failure to act of any one of the two nonpublic officer members of the Board, or the refusal and failure to act of any one of the three public officer members of the board. The term of any person selected to fill a vacancy caused by the refusal and failure to act of any one of the three public officer members shall terminate with the election and qualification of said official member's successor in office.

(b) There is hereby conferred upon The Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its 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 condemnation or expropriation of property for public purposes in such State.

(c) The said The Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives, and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be such as will amortize the cost of said bridge within a period fixed by said Board but not to exceed twenty years and such 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.

(d) If, after the completion of such bridge, as determined by the Secretary of War, either the State of Nebraska and the State of Iowa, jointly, or said cities of Omaha and Council Bluffs, jointly, or the counties of Douglas, Nebraska, and Pottawattamie, Iowa, jointly, may at any time desire to acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, 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 to such public agency, by proper instrument of conveyance, all right, title, and interest in such bridge and its approaches; and no damages or compensation whatsoever shall be allowed for any such right, title, or interest, but if such bridge is so acquired it shall be taken over subject to the bonds, debentures, or other instruments of indebtedness, including accrued interest thereon, actually issued in payment for the bridge, its approaches, and improvements and outstanding at the time of such taking over. Such instrument of conveyance shall be executed and delivered within a period of thirty days after receiving from such public agency a written notice of such intention to take over such property.

(e) If such bridge shall at any time be taken over or acquired by such States, or public agencies or political subdivisions thereof, or by either of them, as provided in section 3 (d) 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 only those items named in section 3 (d) of this Act, 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 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 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.

(f) The said The Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its 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 Nebraska and Iowa 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 amount of bonds, debentures, or other evidences of indebtedness issued in connection with the construction of such bridge. The Secretary of War may, and upon request of the highway departments 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 the 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 and financing such bridge. For the purpose of such investigation the said The Omaha-Council Bluffs

Acquisition authorized, after completion, jointly by States, cities, and counties designated.

Conveyance by Board of Trustees.

Subject only to indebtedness for bridge construction.

Tolls under State, etc., operation.

Rates applied to operation and sinking fund to amortize payments incurred.

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

Record of expenditures and receipts.

Sworn statement of construction costs, bonds, etc., to be filed after completion.

Examination by Secretary of War.

Findings of Secretary
conclusive.

Missouri River Bridge Board of Trustees, its legal representatives and assigns, shall make available all of its records in connection with the construction and financing thereof. The findings of the Secretary of War as to the reasonable costs of the construction and financing of the bridge shall be conclusive for the purposes mentioned in section 3 (d) of this Act, subject only to a review in a court of equity for fraud or gross mistake.

Right to sell, etc.,
conferred.

(g) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by section 3 of this Act is hereby granted to The Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its 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.

Construction con-
tracts by competitive
bidding.

(h) All contracts made in connection with the construction of the bridge authorized by section 3 of this Act and which shall involve the expenditure of more than \$5,000 shall be let by competitive bidding. Such contracts shall be advertised for a reasonable time in some newspaper of general circulation published in the States in which the bridge is located and in the vicinity thereof; sealed bids shall be required, and the contracts shall be awarded to the lowest responsible bidder. Verified copies or abstracts of all bids received and of the bid or bids accepted shall be promptly furnished to the highway departments of the States in which the bridge is located. A failure to comply in good faith with the provisions of this section shall render null and void any contract made in violation thereof, and the Secretary of War may, after hearings, order the suspension of all work upon such bridge until the provisions of this section shall have been fully complied with.

Advertisements, etc.

Contracts void for
violations.

Board to supervise
collections, authorize
expenditures, etc., un-
til acquired by States,
etc.

(i) Upon the completion of such bridge it shall be the duty thereafter of said board, until said bridge shall be taken over or acquired by such States or political agencies or subdivisions thereof, as provided for in section 3 of this Act, to supervise the collection of tolls and to authorize and audit all expenditures of money received from the collection of tolls; it shall be their duty to see that all revenues received from the bridge, except such amounts as may be necessary for the repair, operation, and maintenance, under economical management, of the bridge, shall be paid into the sinking fund and used for the amortization of the outstanding indebtedness incurred for the construction or improvement of the bridge. After a sinking fund sufficient for such amortization shall have been so provided the bridge shall thereafter be maintained and operated free of tolls; and The Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives, and assigns shall thereupon convey, by proper instrument of conveyance, all right, title, and interest in said bridge and its approaches to the State of Nebraska and the State of Iowa, jointly, if such States shall agree to accept and to maintain and operate the same; if such States refuse to agree to accept and maintain and operate the bridge as a free bridge, then the said The Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives, and assigns shall convey said bridge to either the State of Nebraska, or the State of Iowa, or to said counties of Douglas and Pottawattamie, jointly, in which such bridge is located in whole or in part, or to the cities of Omaha, Nebraska, and Council Bluffs, Iowa, jointly, as shall first by duly authorized action agree to accept and maintain and operate the same as a free bridge: *Provided, however,* That if said two States, due to the fault of one of them shall fail to agree to accept and operate said bridge, jointly,

When indebtedness
amortized by sinking
fund, the bridge to be
free of tolls.

Board to convey
bridge to State, etc.,
if agreement to operate
as free bridge.

Proviso.
No conveyance to de-
faulting State.

as a free bridge, then in no event shall said board convey said bridge to the State at fault.

MISSOURI RIVER AT SOUTH OMAHA, NEBRASKA

SEC. 4. (a) That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, Charles B. Morearty, his heirs, legal representatives, and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near South Omaha, Nebraska, 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.

(b) There is hereby conferred upon Charles B. Morearty, his 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 condemnation or expropriation of property for public purposes in such State.

(c) The said Charles B. Morearty, his heirs, legal representatives, 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.

(d) If, after the completion of such bridge, as determined by the Secretary of War, either the State of Nebraska, the State of Iowa, 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 of them jointly, may at any time desire to acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, it shall not be necessary to condemn or expropriate such property, but the said Charles B. Morearty, his heirs, legal representatives, and assigns, shall deliver to such public agency by proper instrument of conveyance all right, title, and interest in such bridge and its approaches; and no damages or compensation whatsoever shall be allowed for any such right, title, or interest, but if such bridge is so acquired it shall be taken over subject to the bonds, debentures, or other instruments of indebtedness, including accrued interest thereon, actually issued in payment for the bridge, its approaches, and improvements and outstanding at the time of such taking over. Such instrument of conveyance shall be executed and delivered within a period of thirty days after receiving from such public agency a written notice of such intention to take over such property.

(e) If such bridge shall at any time be taken over or acquired by such States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 (d) 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

Missouri River

Charles B. Morearty
may bridge, at South
Omaha, Nebr.
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Construction.
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Rights to acquire
real estate, etc., for lo-
cation, approaches, etc.

Condemnation pro-
ceedings.

Tolls authorized.

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Acquisition author-
ized, after completion,
by Nebraska, Iowa,
etc.

Delivery of title.

Conveyance subject
to bonds, etc.

Tolls under State,
etc., operation.

Rates applied to op-
eration, sinking fund,
etc.

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

Record of expenditures and receipts.

Sworn statement of construction costs, etc., to be filed after completion.

Examination by Secretary of War.

Findings of Secretary conclusive.

Right to sell, etc., conferred.

Construction contracts to be let to lowest bidder.

Advertising, etc.

Contracts void for violations.

provide a sinking fund sufficient to amortize the amount paid therefor, including only those items named in section 4 (d) of this Act, 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 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 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.

(f) The said Charles B. Morearty, his 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 Nebraska and Iowa, 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 amount of bonds, debentures, or other evidences of indebtedness issued in connection with the construction of such bridge. The Secretary of War may, and upon request of the highway departments 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 the 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 and financing such bridge. For the purpose of such investigation the said Charles B. Morearty, his heirs, legal representatives, and assigns, shall make available all of his records in connection with the construction and financing thereof. The findings of the Secretary of War as to the reasonable costs of the construction and financing of the bridge shall be conclusive for the purposes mentioned in section 4 (d) of this Act, subject only to a review in a court of equity for fraud or gross mistake.

(g) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to Charles B. Morearty, 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.

(h) All contracts made in connection with the construction of the bridge authorized by section 4 of this Act and which shall involve the expenditure of more than \$5,000 shall be let by competitive bidding. Such contracts shall be advertised for a reasonable time in some newspaper of general circulation published in the States in which the bridge is located and in the vicinity thereof; sealed bids shall be required and the contracts shall be awarded to the lowest responsible bidder. Verified copies or abstracts of all bids received and of the bid or bids accepted shall be promptly furnished to the highway departments of the States in which the bridge is located. A failure to comply in good faith with the provisions of this section shall render null and void any contract made in violation thereof, and the Secretary of War may, after

hearings, order the suspension of all work upon such bridge until the provisions of this section shall have been fully complied with.

(i) Upon the completion of such bridge a commission shall be created, composed of three members, one of whom shall be appointed by the mayor of Omaha, Nebraska, one by the mayor of Council Bluffs, Iowa, and one by Charles B. Morearty, his heirs, legal representatives, or assigns; it shall be the duty of the commission to supervise the collection of tolls and to authorize and audit all expenditures of money received from the collection of tolls; it shall be their duty to see that all revenues received from the bridge, except such amounts as may be necessary for the repair, operation, and maintenance, under economical management, of the bridge, shall be paid into the sinking fund and used for the amortization of the outstanding indebtedness incurred for the construction or improvement of the bridge. After a sinking fund sufficient for such amortization shall have been so provided the bridge shall thereafter be maintained and operated free of tolls, and Charles B. Morearty, his heirs, legal representatives, and assigns, shall thereupon convey, by proper instrument of conveyance, all right, title, and interest in said bridge and its approaches, to the State of Nebraska and the State of Iowa, jointly, or to the highway departments thereof, if such States or their highway departments shall agree to accept and to maintain and operate the same; if such States or their highway departments refuse to agree to accept and maintain and operate said bridge as a free bridge, then the said Charles B. Morearty, his heirs, legal representatives, and assigns, shall convey said bridge to either of such States, or to either of the counties thereof in which such bridge is located in whole or in part, or to the cities of Omaha, Nebraska, and Council Bluffs, Iowa, jointly, or to either of them, as shall agree to accept and maintain and operate the same as a free bridge.

SEC. 5. There is hereby authorized to be constructed, maintained, and operated a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Florence, Nebraska, by the persons specified in section 3 of this Act and in accordance with the authority therein conferred upon such persons and subject to all the provisions and limitations of such section.

RIO GRANDE AT FORT HANCOCK, TEXAS

SEC. 6. (a) That in order to facilitate international commerce, improve the postal service, and provide for military and other purposes, the Fort Hancock Bridge Company, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Rio Grande, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation, at Fort Hancock, Texas, in accordance with the provisions of the act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the conditions and limitations contained in this Act, and subject to the approval of the proper authorities in the Republic of Mexico.

(b) There is hereby conferred upon the Fort Hancock 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 in the State of Texas needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad

Commission created to supervise collection of tolls, expenditures, etc.

After amortizing indebtedness, bridge operated free of tolls.

Conveyance of bridge to Nebraska and Iowa, etc.

Other conveyance authorized on refusal of States.

Missouri River. Omaha-Council Bluffs, etc. Trustees may bridge, at Florence, Nebr. Ante, p. 544.

Rio Grande.

Fort Hancock Bridge Company, may bridge at Fort Hancock, Tex.

Construction. Vol. 34, p. 84.

Approval of Mexico required.

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

Condemnation proceedings.

Tolls authorized.

Vol. 34, p. 85.

Right to sell, etc., conferred.

Extending times for construction.

Monongahela River.
At Fayette City, Pa.
Vol. 45, p. 1488.

Mississippi River.
At Helena, Ark.
Vol. 45, pp. 762, 1529.

Rio Grande.
At Weslaco, Tex.
Vol. 45, p. 776.

Missouri River.
At Rulo, Nebr.
Vol. 45, pp. 390, 1524.

Post, p. 1457.

purposes or by bridge corporations for bridge purposes in the State of Texas, 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.

(c) The said Fort Hancock Bridge Company, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge in accordance with any laws of Texas applicable thereto, 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.

(d) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to Fort Hancock Bridge Company, its successors 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.

MONONGAHELA RIVER AT FAYETTE CITY, PENNSYLVANIA

SEC. 7. The times for commencing and completing the construction of the bridge across the Monongahela River at or near Fayette City, Fayette County, Pennsylvania, authorized to be built by the Fayette City Bridge Company, by the Act of Congress approved March 2, 1929, are hereby extended one and three years, respectively, from March 2, 1930.

MISSISSIPPI RIVER AT HELENA, ARKANSAS

SEC. 8. The times for commencing and completing the construction of a bridge across the Mississippi River at or near Helena, Arkansas, authorized to be built by D. T. Hargraves and John W. Dulaney, their heirs, legal representatives, and assigns, by an Act of Congress approved May 26, 1928, and extended by an Act of Congress approved March 2, 1929, are hereby further extended one and three years, respectively, from May 26, 1930.

RIO GRANDE AT WESLACO, TEXAS

SEC. 9. The times for commencing and completing the construction of a bridge authorized by Act of Congress approved May 28, 1928, to be built by the Lost Olmos International Bridge Company, across the Rio Grande at or near Weslaco, Texas, are hereby extended one and three years, respectively, from May 28, 1930.

MISSOURI RIVER AT RULO, NEBRASKA

SEC. 10. The times for commencing and completing the construction of a bridge across the Missouri River, at or near Rulo, Nebraska, authorized to be built by John C. Mullen, T. L. Davies, John H. Hutchings, and Virgil Falloon, all of Falls City, Nebraska, their heirs, legal representatives, and assigns, by Act of Congress approved March 29, 1928, heretofore extended by Act of Congress approved March 2, 1929, are hereby further extended one and three years, respectively, from March 29, 1930.

MISSOURI RIVER AT BROWNVILLE, NEBRASKA

SEC. 11. The times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, Nebraska, authorized to be built by the Brownville Bridge Company, by the Act of Congress approved February 26, 1929, are hereby extended one and three years, respectively, from February 26, 1930.

Missouri River.
At Brownville, Nebr.
Vol. 45, p. 1309.

MISSOURI RIVER AT WASHINGTON, MISSOURI

SEC. 12. The times for commencing and completing the construction of the bridge across the Missouri River at or near Washington, Missouri, authorized to be built by the Washington Missouri River Bridge Company, by an Act of Congress approved February 28, 1928, heretofore extended by an Act of Congress approved March 2, 1929, are hereby further extended one and three years, respectively, from February 28, 1930.

Missouri River.
At Washington, Mo.
Vol. 45, pp. 151, 1529.

MISSISSIPPI RIVER BETWEEN NEW ORLEANS AND GRETN, LOUISIANA

SEC. 13. The times for commencing and completing the construction of a bridge across the Mississippi River, between New Orleans and Gretna, Louisiana, authorized to be built by George A. Hero and Allen S. Hackett, their successors and assigns, by the Act of Congress approved March 2, 1927, heretofore extended by Act of Congress approved March 6, 1928, and also by the Act of Congress approved February 19, 1929, are hereby extended one and three years, respectively, from March 6, 1930.

Mississippi River.
Between New Orleans and Gretna, La.
Vol. 44, p. 1270.
Vol. 45, pp. 193, 1229.

MISSISSIPPI RIVER AT BATON ROUGE, LOUISIANA

SEC. 14. The times for commencing and completing the construction of the bridge across the Mississippi River at or near Baton Rouge, Louisiana, authorized to be built by the Baton Rouge-Mississippi River Bridge Company, its successors and assigns, by an Act of Congress approved February 20, 1928, heretofore extended by an Act of Congress approved January 25, 1929, are hereby further extended one and three years, respectively, from February 20, 1930.

Mississippi River.
At Baton Rouge, La.
Vol. 45, pp. 130, 1093.

MISSOURI RIVER AT DECATUR, NEBRASKA

SEC. 15. The times for commencing and completing the construction of a bridge across the Missouri River, at or near Decatur, Nebraska, authorized to be built by the Interstate Bridge Company, its successors and assigns, by Act of Congress approved March 29, 1928, heretofore extended by Act of Congress approved March 2, 1929, are hereby further extended one and three years, respectively, from March 29, 1930.

Missouri River.
At Decatur, Nebr.
Vol. 45, pp. 392, 1526.
Ante, p. 78.

MAUMEE RIVER NEAR TOLEDO, OHIO

SEC. 16. The times for commencing and completing the construction of the bridge across the Maumee River, at or near its mouth, in Lucas County, Ohio, authorized to be built by Eugene Rheinfrank, his heirs, legal representatives and assigns, by Act of Congress approved March 4, 1929, are hereby extended one and three years, respectively, from March 4, 1930.

Maumee River.
Near Toledo, Ohio.
Vol. 45, p. 1559.

Tolls.

REGULATION OF TOLLS OVER CERTAIN BRIDGES

Where rights reserved
to Congress, to regu-
late, the rules, etc., of
bridge Act to control.
Vol. 34, p. 84.
Post, p. 821.

SEC. 17. In the case of bridges heretofore authorized by Acts of Congress specifically reserving to Congress the right to subsequently regulate tolls on such bridges, such bridges shall, in respect of the regulation of all tolls, be subject to the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Amendment.

SEC. 18. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 10, 1930.

June 10, 1930.

[H. R. 11228.]

[Public, No. 331.]

CHAP. 442.—An Act Granting the consent of Congress to the State of Illinois to construct a bridge across the Rock River south of Moline, Illinois.

Rock River.
Illinois may bridge,
near Moline, Ill.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress be, and is hereby, granted to the State of Illinois to construct, maintain, and operate a free highway bridge and approaches thereto across the Rock River, at a point suitable to the interests of navigation, south of Moline, Illinois, in section 16, township 17 north, range 1 west, fourth principal meridian, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Construction.
Vol. 34, p. 84.

Amendment.

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

Approved, June 10, 1930.

June 10, 1930.

[H. R. 11240.]

[Public, No. 332.]

CHAP. 443.—An Act To extend the times for commencing and completing the construction of a bridge across the Monongahela River at Pittsburgh, Allegheny County, Pennsylvania.

Monongahela River.
Time extended for
bridging, at Pittsburgh,
Pa.

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 Monongahela River at a point approximately one and five-tenths miles above its junction with the Allegheny River in the city of Pittsburgh, county of Allegheny, and State of Pennsylvania, authorized to be built by the county of Allegheny, by the Act of Congress approved February 13, 1929, are hereby extended one and three years, respectively, from February 13, 1930.

Vol. 45, p. 1173,
amended.

Amendment.

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

Approved, June 10, 1930.

June 10, 1930.

[H. R. 11282.]

[Public, No. 333.]

CHAP. 444.—An Act To extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Tenth Street in Bettendorf, State of Iowa.

Mississippi River.
Time extended for
bridging, at Betten-
dorf, Iowa.

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 Mississippi River at or near Tenth Street in Bettendorf, State of Iowa, authorized to be built by B. F. Peek, G. A. Shallberg, and C. I. Josephson, of Moline, Illinois; J. W. Bettendorf, A. J. Russell, and J. L. Hecht, of Bettendorf and Davenport, Iowa, their