

burse the United States for the land and timber thereon, the value of the land to be calculated at \$1.25 per acre, and the value of the timber to be ascertained by the Secretary of Agriculture after the same has been examined and appraised under his supervision: *Provided, however*, That the transaction contemplated in this and the preceding section shall be effected only with the consent of the Minnesota Chippewa Tribe expressed through the body authorized to represent it: *And provided further*, That all money received by the United States under the authority of this Act shall be deposited in the Treasury of the United States, and the same is hereby appropriated for the acquisition of forest land within the Chippewa National Forest under the provisions of the Act approved March 1, 1911, as amended (U. S. C., title 16, secs. 513, 519, 521).

SEC. 3. That exchanges of Indian allotted, restricted, and tribal lands for lands in the Chippewa National Forest are hereby authorized. In order to consummate exchanges involving allotted and restricted Indian lands, the Secretary of the Interior is hereby authorized to accept relinquishments or conveyances of Indian lands, which lands shall thereupon become a part of the Chippewa National Forest, and to issue trust patents to the Indians for the lands received by them in exchange: *Provided*, That with the consent of the Indians involved title to the lands received in any such exchange may be taken in the name of the tribe, in which case the transfer of title shall be evidenced by an order of the Secretary of Agriculture transferring the lands to the Secretary of the Interior in trust for the Minnesota Chippewa Tribe: *Provided further*, That exchanges involving tribal lands shall be made only with the consent of the Indians and shall be evidenced by appropriate orders of transfer executed by the Secretary of Agriculture and the Secretary of the Interior: *And provided further*, That the land exchanges authorized herein shall be made on the basis of lands of equal value, and no exchange shall be made unless it is first approved by the Secretary of Agriculture.

Approved, June 8, 1940.

Provisos.
Consent of tribe
necessary.

Deposit of funds.

Appropriation.

36 Stat. 961.

Exchanges of land
authorized.
Acceptance of In-
dian lands; issuance
of trust patents.

Provisos.
Transfer of title.

Consent of Indians.

Basis for exchange;
approval by Secretary
of Agriculture.

[CHAPTER 286]

AN ACT

To make it a crime to wreck or attempt to wreck a train engaged in interstate commerce.

June 8, 1940
[H. R. 8086]
[Public, No. 575]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whoever shall willfully derail, disable, or wreck any train, engine, motor unit, or car used, operated, or employed in interstate or foreign commerce by any railroad, or whoever shall willfully set fire to, or place any explosive substance on or near, or undermine any tunnel, bridge, viaduct, trestle, track, signal, station, depot, warehouse, terminal, or any other way, structure, property, or appurtenance used in the operation of any such railroad in interstate or foreign commerce, or otherwise make any such tunnel, bridge, viaduct, trestle, track, signal, station, depot, warehouse, terminal, or any other way, structure, property, or appurtenance unworkable or unusable or hazardous to work or use, with the intent to derail, disable, or wreck a train, engine, motor unit, or car used, operated, or employed in interstate or foreign commerce or whoever shall willfully attempt to do any of the aforesaid acts or things, shall be deemed guilty of a crime, and on conviction thereof shall be subject to a fine of not more than \$10,000 or imprisonment for not more than twenty

Wrecking of train,
etc., employed in in-
terstate or foreign
commerce.

Penalty.

Proviso.
Death penalty, etc.;
when applicable.

Jurisdiction of State
courts.

State conviction or
acquittal, effect.

years, or both fine and imprisonment in the discretion of the court: *Provided*, That whoever shall be convicted of any such crime, which has resulted in the death of any person, shall be subject also to the death penalty or to imprisonment for life, if the jury shall in its discretion so direct, or, in the case of a plea of guilty, if the court in its discretion shall so order.

Nothing in this Act shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof; and a judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution hereunder for the same act or acts.

Approved, June 8, 1940.

[CHAPTER 287]

AN ACT

June 8, 1940
[H. R. 8491]

[Public, No. 576]

Missouri River.
Bridge authorized
across, at Niobrara,
Nebr.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

Right to acquire
real estate, etc.

Toll charges.

Application of tolls
to operation, sinking
fund, etc.

Maintenance as free
bridge after amortiz-
ing costs, etc.

Record of expendi-
tures and receipts.

Authorizing the county of Knox, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Niobrara, Nebraska.

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 county of Knox, State of Nebraska, be, and it 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 Niobrara, 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.

SEC. 2. There is hereby conferred upon the said county of Knox, State of Nebraska, 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, maintenance, and operation 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.

SEC. 3. The said county of Knox, State of Nebraska, 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.

SEC. 4. 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 maintaining, repairing, and operating the bridge and its approaches under 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 twenty years from the completion thereof. After a sinking fund sufficient for amortization shall have been so provided, said bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and the daily tolls collected shall be kept and shall be available for the information of all persons interested.