

approximately four thousand acres of lands in Indian and private ownership within and immediately adjacent to the Lummi Indian Reservation, in the State of Washington: *Provided*, That the total cost of the project shall be distributed equitably among the lands in Indian ownership and the lands in private ownership that may be benefited in accordance with the benefits received as designated by the Secretary of the Interior.

Proviso.
Cost distributed
among lands benefited.

Reimbursement of
charge against Indian
lands.

SEC. 2. The construction charge properly assessable against the Indian lands shall be reimbursed to the Treasury of the United States under such rules and regulations as the Secretary of the Interior may prescribe, and there is hereby created a lien against all such lands, which lien shall be recited in any patent issued therefor, prior to the reimbursement of the total amount chargeable against such lands.

Repayment contract
required of private
owners of benefited
lands.

SEC. 3. No part of the sum provided for herein shall be expended for construction on account of any lands in private ownership until an appropriate repayment contract in accordance with the terms of this Act and in form approved by the Secretary of the Interior shall have been properly executed by the landowners whose lands may be benefited by the project.

Public notice of cost
and assessment against
benefited lands.

SEC. 4. The Secretary of the Interior is hereby authorized and directed to declare by public notice the cost of the project and the equitable share to be assessed against the lands benefited in accordance with their respective benefits, which cost shall be repaid in annual installments, the first installment to be 5 per centum of the total charge and be due and payable on the 1st day of December of the third year following the date of such public notice, the remainder of the said cost with interest on deferred amounts against land in private ownership from the date of said public notice to be 4 per centum per annum, to be payable on each December 1 thereafter, on the same basis as the first installment, until the obligation is paid in full.

Installment pay-
ments.

Rule, etc., to be pre-
scribed.

SEC. 5. The Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect.

Approved, March 18, 1926.

March 18, 1926.
[H. R. 6374.]

[Public, No. 50.]

CHAP. 61.—An Act To authorize the employment of consulting engineers on plans and specifications of the Coolidge Dam.

San Carlos Irrigation
project, Ariz.
Consulting engineers
for Coolidge Dam, au-
thorized.
Vol. 43, p. 475.
Post, p. 944.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in carrying into effect the provisions of the Act of June 7, 1924 (Forty-third Statutes at Large, page 476), entitled "An Act for the continuance of construction work on the San Carlos Federal irrigation project in Arizona and for other purposes," the Secretary of the Interior is authorized, in his judgment and discretion, to employ for consultations on plans and specifications for the Coolidge Dam, as he may deem necessary, the services of not more than three experienced engineers, determined by him to have the necessary qualifications, without regard to civil service requirements, and at rates of compensation to be fixed by him for each respectively, but not to exceed \$50 per day and necessary traveling expenses including a per diem of not to exceed \$4 in lieu of subsistence for each engineer, respectively, not exceeding in the aggregate more than \$3,500 for any engineer so employed for the time employed and actually engaged upon such work: *Provided*, That a retired officer of the Army may be employed by the Secretary of the Interior as consulting engineer in accordance with the provisions of this Act.

Compensation, etc.,
limited.

Proviso.
Retired Army officer
may be employed.

Approved, March 18, 1926.

CHAP. 62.—An Act Granting the consent of Congress to the Midland and Atlantic Bridge Corporation, a corporation, to construct, maintain, and operate a bridge across the Big Sandy River between the city of Catlettsburg, Kentucky, and a point opposite in the city of Kenova, in the State of West Virginia.

March 18, 1926.
[H. R. 5043.]
[Public, No. 51.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Midland and Atlantic Bridge Corporation, a corporation, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto, across the Big Sandy River at a point suitable to the interests of navigation, one end of such bridge to be in the city of Catlettsburg, in the State of Kentucky, and the other end at a point on the opposite side of said river, in the city of Kenova, in the State of 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: *Provided*, That such bridge shall not be constructed or commenced until the plans and specification thereof shall have been submitted to and approved by the Secretary of War and the Chief of Engineers as being also satisfactory from the standpoint of the volume and weight of the traffic which will pass over it.

Big Sandy River. Midland and Atlantic Bridge Corporation, may bridge, Catlettsburg, Ky., to Kenova, W. Va.

Construction.
Vol. 34, p. 84.

Proviso.
Approval of traffic capacity, required.

SEC. 2. The said Midland and Atlantic Bridge Corporation, its successors and assigns, are hereby authorized and empowered to fix and charge just and reasonable tolls for the passage over such bridge of pedestrians, animals, and vehicles adapted to travel on public highways, and the rates so fixed shall be the legal rates until the Secretary of War shall prescribe other rates of toll as provided in the Act of March 23, 1906.

Tolls authorized.

Vol. 34, p. 85.

SEC. 3. That the States of West Virginia and Kentucky, or any official agency of either thereof or any political or other subdivision or subdivisions thereof within or adjoining which such bridge is located, may jointly or severally at any time after the completion of such bridge, by agreement or condemnation in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation, acquire all right, title, and interest in such bridge and the approaches and appurtenances thereto: *Provided*, That if such bridge is acquired as aforesaid by condemnation, at any time after fifteen years after completion of such bridge, in determining the measure of damages or compensation to be paid for the same, there shall not be included any credit or allowance for good will, going value or prospective revenues or profits, but the same shall be limited to such an amount not exceeding the original cost thereof as shall represent the cash value of the bridge and its approaches and appurtenances and any improvements thereto at the time of such acquisition.

Acquisition by West Virginia and Kentucky, after completion, authorized.

Proviso.
Determination of compensation if acquired by condemnation.

Limitation.

SEC. 4. The said Midland and Atlantic Bridge Corporation, its successors and assigns, shall immediately upon the completion of such bridge, file with the State highway departments of the States of West Virginia and Kentucky, an itemized sworn statement of the actual original cost of such bridge and its approaches and appurtenances, including any reasonable actual expenditures for engineering and legal services and any reasonable fees, discounts, and expenditures incurred in connection with the original financing thereof. Such itemized statement of cost may be investigated by the highway department of either of such States at any time within three years after the completion of such bridge and verified or corrected, and its findings shall be conclusive upon all persons subject only to review in a court of equity for fraud or mistake.

Sworn statement of cost, etc., to be filed after completion.

SEC. 5. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, March 18, 1926.