

[CHAPTER 83.]

AN ACT

June 15, 1933.

[S. 1813.]

[Public, No. 60.]

Providing for the sale to Joe Graham Post Numbered 119, American Legion, of the lands lying within the Ship Island Military Reservation in the State of Mississippi.

Ship Island Military
Reservation, Miss.
Sales of lands within,
to Joe Graham Post,
American Legion.
Vol. 45, p. 1556.

Payment.

Receipts credited to
military construction
fund.

Terms and condi-
tions.

Reversionary provi-
sions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the Act entitled "An Act transferring a portion of the lighthouse reservation, Ship Island, Mississippi, to the jurisdiction and control of the War Department", approved March 4, 1929, the Secretary of War is authorized and directed to convey by quitclaim deed to Joe Graham Post Numbered 119, of the American Legion, Incorporated, a corporation organized under the laws of the State of Mississippi, all the lands lying within the Ship Island Military Reservation in such State, in consideration of the payment to the United States by such corporation of \$15,000; but payment of such sum may be made in equal annual installments over a period of ten years from the date of such conveyance with interest on such deferred payments at the rate of 5 per centum per annum, all interest due to be paid annually. All sums paid to the United States for such land shall be covered into the Treasury to the credit of the military post construction fund. It shall be made a condition of the deed of conveyance herein provided for (1) that the lands so conveyed shall be maintained by such corporation as a national recreational park, (2) that such corporation shall erect and maintain on such lands a suitable monument or other memorial to the veterans of the World War, and (3) that such corporation shall set aside such parcel of land not exceeding one acre in area within such lands as may be selected by the United Daughters of the Confederacy for the sole use of that organization for the erection and maintenance of a memorial to veterans of the Civil War. If the corporation fails to use such lands for the purposes herein provided, or violates any of the conditions of the deed of conveyance or attempts to alienate such lands, title thereto shall revert to the United States.

Approved, June 15, 1933.

[CHAPTER 84.]

AN ACT

June 15, 1933.

[H. R. 4872.]

[Public, No. 61.]

Authorizing Farris Engineering Company, its successors and assigns, to construct, maintain, and operate a bridge across the Monongahela River at or near California, Pennsylvania.

Monongahela River.
Farris Engineering
Company may bridge,
at California, Pa.

Construction.
Vol. 34, p. 84.

Pennsylvania may
acquire, after comple-
tion.

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, Farris Engineering Company, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Monongahela River, at a point suitable to the interests of navigation, at or near California, Pennsylvania, 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. After the completion of such bridge, as determined by the Secretary of War, either the State of Pennsylvania, any political subdivision thereof 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 such State governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of five 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 interest in real property; (3) 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 real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by the State of Pennsylvania, or by any municipality or other political subdivision or public agency thereof, under the provisions of section 2 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.

SEC. 4. The Farris Engineering Company, its successors and assigns, shall, within ninety days after the completion of such bridge, file with the Secretary of War and with the Highway Department of the State of Pennsylvania, 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 at the request of the Highway Department of the State of Pennsylvania 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 Farris Engineering Company, its successors and assigns, shall make available all of its 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 of this Act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to Farris Engineering Company, its successors and assigns; and any

Compensation, if acquired by condemnation.

Limitation.

Tolls under State 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.

Finding of Secretary conclusive.

Right to sell, etc., conferred.

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.

Amendment.

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

Approved, June 15, 1933.

[CHAPTER 85.]

AN ACT

To amend section 289 of the Criminal Code.

June 15, 1933.

[H. R. 5091.]

[Public, No. 62.]

Criminal Code Amendment. Vol. 35, p. 1145, amended. U.S.C. p. 499. Offenses committed in places under Federal jurisdiction. Punishment for, under State, etc., law when penalty not provided by Federal law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 289 of the Criminal Code (U.S.C., title 18, sec. 468) be, and it is hereby, amended to read as follows:

“SEC. 289. Whoever, within the territorial limits of any State, organized Territory, or District, but within or upon any of the places now existing or hereafter reserved or acquired, described in section 272 of the Criminal Code (U.S.C., title 18, sec. 451), shall do or omit the doing of any act or thing which is not made penal by any laws of Congress, but which if committed or omitted within the jurisdiction of the State, Territory, or District in which such place is situated, by the laws thereof in force on June 1, 1933, and remaining in force at the time of the doing or omitting the doing of such act or thing, would be penal, shall be deemed guilty of a like offense and be subject to a like punishment.”

Approved, June 15, 1933.

[CHAPTER 86.]

AN ACT

Granting the consent of Congress to the city of Washington, Missouri, to construct, maintain, and operate a toll bridge across the Missouri River at or near Washington, Missouri.

June 15, 1933.

[H. R. 5589.]

[Public, No. 63.]

Missouri River. Washington, Mo., may bridge. Post, p. 1015. Construction. Vol. 34, p. 84.

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 city of Washington, Missouri, 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 Washington, Missouri, in accordance with the provisions of an 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. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay 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 the 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 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

Toll rates applied to operation, sinking fund, etc.

Maintenance as free bridge after amortizing costs.