

Secretary of War all of their records in connection with the financing and construction thereof. The findings of the Secretary of War as to such actual original cost shall be conclusive subject only to review in a court of equity for fraud or gross mistake.

Findings of Secretary conclusive.

SEC. 6. If such bridge shall be taken over and acquired by the States or political subdivisions thereof under the provisions of section 4 of this Act, the same may thereafter be operated as a toll bridge; in fixing the rates of toll to be charged for the use of such bridge, the same shall be so adjusted as to provide as far as possible a sufficient fund to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the amount paid therefor within a period of not to exceed thirty years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring such bridge and its approaches shall have been provided, the bridge shall thereafter be maintained and operated free of tolls or the rates of toll shall be so adjusted as to provide a fund not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for acquiring the bridge and its approaches, the expenditures for operation, repairing, and maintaining the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Operation as toll bridge if acquired by States, etc.

Maintenance, etc., after amortization of costs.

Record of all expenditures and receipts.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and the privileges conferred by this Act is hereby granted to the said Charles G. Buffum, Andrew J. Murphy, Lloyd Stark, and W. J. Garner, their heirs, legal representatives, and assigns, and any corporation to which such rights, powers, and privileges may be sold, assigned, or transferred, or which 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.

Authority to sell, etc.

SEC. 8. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 5, 1926.

CHAP. 244.—An Act Granting the consent of Congress to the State of Minnesota to construct a bridge across the Minnesota River at or near Shakopee, Minnesota.

May 5, 1926.
[H. R. 8350.]
[Public, No. 184.]

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 State of Minnesota and its successors and assigns to construct, maintain, and operate a bridge and approaches thereto across the Minnesota River at a point suitable to the interests of navigation, at or near Shakopee, Minnesota, more particularly described as in the southwest quarter of the northeast quarter of section 1, township 115 north, range 23 west of the fifth principal meridian, in the county of Scott, in the State of Minnesota, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Minnesota River. Minnesota may bridge, at Shakopee.

Construction. Vol. 34, p. 84.

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

Amendment.

Approved, May 5, 1926.

May 5, 1926.
[H. R. 9088.]
[Public, No. 185.]

CHAP. 245.—An Act Granting the consent of Congress to the construction, maintenance, and operation of a bridge across Sandusky Bay at or near Bay Bridge, Ohio.

Sandusky Bay.
G. S. Beckwith may
bridge at Bay Bridge,
Ohio.

Construction.
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Tolls authorized.

Acquisition author-
ized, after completion,
by Ohio, etc.

Compensation if ac-
quired by condemna-
tion.

Limitation.

Operation by munici-
pality, etc., as a toll
bridge.

Maintenance, etc.,
after amortization of
costs.

Record of expendi-
tures and receipts.

Sworn statement of
costs to be filed after
completion.

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 G. S. Beckwith, of Cleveland, Ohio, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge and approaches thereto across Sandusky Bay, at a point suitable to the interests of navigation, at or near Bay Bridge, in the county of Erie, in the State of Ohio, 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. The said G. S. Beckwith, his heirs, legal representatives, and assigns, are hereby authorized to fix and charge tolls for transit over such bridge and the rates so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in such Act of March 23, 1906.

Sec. 3. After the date of completion of such bridge, as determined by the Secretary of War, either the State of Ohio, any political subdivision thereof within which any part of such bridge is located, or two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and approaches, and interests in real property necessary therefor, by purchase, or by condemnation in accordance with the law of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of fifteen years after the completion of such bridge it is acquired by condemnation, 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 approaches, less a reasonable deduction for actual depreciation in respect of such bridge and approaches, (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 construction of such bridge and approaches and the acquisition of such interests in real property), and (4) actual expenditures for necessary improvements.

Sec. 4. If such bridge shall at any time be taken over or acquired by any municipality or other political subdivision or subdivisions of the State of Ohio under the provisions of section 3 of this Act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the amount paid for such bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed thirty years from the date of acquiring the same. After a sinking fund sufficient to amortize the cost of acquiring the bridge and its approaches shall have been 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 care, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of daily tolls collected shall be kept, and shall be available for the information of all persons interested.

Sec. 5. That said G. S. Beckwith, his heirs, legal representatives, and assigns, shall, within ninety days after the completion of such bridge, file with the Secretary of War a sworn itemized statement