

*Proviso.*  
Annual leave not  
modified but accumu-  
lation permitted.  
Vol. 27, p. 715.

1927 to ex-service men and women for the sole purpose of attending the annual convention of the American Legion in Paris, France: *Provided, however,* That this statute shall not be construed to modify the provisions of the Act approved March 3, 1893, limiting the annual leave which may be granted with pay to thirty days in any one year except that any portion of the thirty days' leave not granted or used during the year 1926 may be allowed to accumulate and be pyramided for the purpose herein specified in addition to the thirty days' leave with pay in 1927.

Approved, May 20, 1926.

May 21, 1926.  
[S. 3550.]  
[Public, No. 259.]

**CHAP. 350.**—An Act Providing for an inspection of the Kennesaw Mountain and Lost Mountain and other battle fields in the State of Georgia.

Kennesaw Mountain, etc., Georgia, battle fields.  
Commission created to inspect.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a commission is hereby created, to be composed of the following members, who shall be appointed by the Secretary of War, for the purpose of inspecting the Kennesaw Mountain, Lost Mountain, and other battle fields in the State of Georgia: A commissioned officer of the Corps of Engineers, United States Army; a veteran of the Civil War who served honorably in the military forces of the United States; and a veteran of the Civil War who served honorably in the military forces of the Confederate States of America. In appointing the members of the commission the Secretary of War shall, as far as possible, select persons familiar with the terrain of the said battle fields and the historical events associated therewith.

Composition.

Basis of selecting members.

Duty of commission.

**SEC. 2.** It shall be the duty of the commission, acting under the direction of the Secretary of War, to inspect the said battle fields in order to ascertain the feasibility of their acquisition for the purpose of a national military park and of preserving and marking them for historical and professional military study and to ascertain the value of lands necessary to acquire for this purpose. The commission shall submit a report of its findings to the Secretary of War not later than November 1, 1926.

Report of findings.

Amount authorized for expenses.  
*Post*, p. 878.

**SEC. 3.** There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 in order to carry out the provisions of this Act.

Approved, May 21, 1926.

May 21, 1926.  
[S. 4070.]

**CHAP. 351.**—An Act Granting the consent of Congress for the construction of a bridge across the Delaware River at or near Burlington, New Jersey.

Delaware River.  
Joseph R. Cheesman and Clifford A. Anderson may bridge, between Burlington, N. J., and Bristol, Pa.  
*Post*, p. 1069.

*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 Joseph R. Cheesman, and Clifford A. Anderson, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Delaware River, at a point suitable to the interests of navigation, between the city of Burlington, New Jersey, and the city of Bristol, 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.

Construction.  
Vol. 34, p. 84.

Right to acquire real estate, etc., for approaches, etc.

**SEC. 2.** There is hereby conferred upon the said Joseph R. Cheesman, and Clifford A. Anderson, their heirs, legal representatives, and assigns all such rights and powers to enter upon lands and to acquire, condemn, appropriate, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches and terminals

as are possessed by bridge corporations for bridge purposes in the State or States in which such real estate and other property are located upon making just compensation therefor, to be ascertained and paid according to the laws of such State or States; and the proceedings therefor shall be the same as in the condemnation and expropriation of property in such State or States.

Condemnation proceedings.

SEC. 3. The said Joseph R. Cheesman, and Clifford A. Anderson, their heirs, legal representatives, and assigns, is 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.

Tolls authorized.

SEC. 4. After the date of completion of such bridge, as determined by the Secretary of War, either the State of New Jersey, the State of Pennsylvania, any 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 approaches, and interests in real property necessary therefor, by purchase, or by condemnation in accordance with the law of either of such States governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of twenty 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.

Vol. 34, p. 85.  
New Jersey, Pennsylvania, etc., may acquire, after completion.

Determination of compensation if acquired by condemnation.

Limitation.

SEC. 5. 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 operating, 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 by State, etc., as a toll bridge.

Maintenance as free bridge, etc., after amortization of costs.

Record of expenditures and receipts.

SEC. 6. The said Joseph R. Cheesman, and Clifford A. Anderson, their 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 showing the actual original cost of constructing such bridge and approaches, including the actual cost of acquiring interests in real property and actual financing and promotion costs. Within three years after the completion of such bridge the Secretary of War may investigate the actual cost

Sworn statements, of costs, etc., to be submitted after completion.

Investigation by Secretary of War.

of such bridge, and for such purpose the said Joseph R. Cheesman, and Clifford A. Anderson, their heirs, legal representatives, and assigns shall make available to the Secretary of War all of his 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.

Right to sell, etc.,  
granted.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the said Joseph R. Cheesman, and Clifford A. Anderson, their 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.

Amendment.

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

Approved, May 21, 1926.

May 21, 1926.  
[S. 4116.]

[Public, No. 261.]

**CHAP. 352.**—An Act To extend the time for the construction of a bridge across the north branch of the Susquehanna River from the city of Wilkes-Barre to the Borough of Dorranceton, Pennsylvania.

North Branch of  
Susquehanna River.

Time extended for  
bridging at Wilkes-  
Barre, by Luzerne  
County, Pa.  
Vol. 43, p. 173, amend-  
ed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the time for commencing and completing the reconstruction of a bridge authorized by Act of Congress approved September 7, 1916, as renewed and extended by joint resolution approved February 15, 1921, and by Public, Numbered 145, approved May 26, 1924, to be constructed by the county of Luzerne, State of Pennsylvania, across the north branch of the Susquehanna River, from the city of Wilkes-Barre to the Borough of Dorranceton, in said county of Luzerne and the State of Pennsylvania, are hereby extended one and three years, respectively, from the date of approval hereof.

Operation as toll  
bridge.

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 cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient to pay the cost of constructing the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of 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 cost of the bridge and its approaches, the expenditures for operating, 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.

Maintenance as free  
bridge, etc., after amor-  
tization of costs.

Record of expendi-  
tures and receipts.

Amendment.

SEC. 3. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 21, 1926.