

[CHAPTER 372]

AN ACT

Granting the consent of Congress to the South Carolina State Highway Department to construct, maintain, and operate a free highway bridge across the Santee River, at or near Leneudes Ferry, South Carolina.

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 South Carolina State Highway Department to construct, maintain, and operate a free bridge across the Santee River at a point suitable to the interest of navigation, at or near Leneudes Ferry, between Jamestown and Andrews, South Carolina, 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 of this Act.

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

Approved, August 18, 1941.

August 18, 1941
[H. R. 4231]
[Public Law 223]

Santee River.
Bridge authorized
across, at Leneudes
Ferry, S. C.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

[CHAPTER 373]

AN ACT

To extend the times for commencing and completing the construction of a toll bridge across the Wabash River at or near Mount Vernon, Posey County, Indiana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a toll bridge across the Wabash River, at or near Mount Vernon, Posey County, Indiana, authorized to be built by the Indiana State Toll Bridge Commission, by an Act of Congress approved October 9, 1940, are hereby extended one and three years, respectively, from October 9, 1941.

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

Approved, August 18, 1941.

August 18, 1941
[H. R. 4306]
[Public Law 224]

Wabash River.
Time extended for
bridging, at Mount
Vernon, Ind.

54 Stat. 1085.

[CHAPTER 374]

AN ACT

To legalize the construction by the Big Creek Bridge Company, Consolidated, of a bridge across the Tug Fork of the Big Sandy River at Nolan, West Virginia.

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 Big Creek Bridge Company, Consolidated, its successors and assigns, to complete construction of a bridge and approaches thereto across the Tug Fork of the Big Sandy River, at Nolan, West Virginia, and to maintain and operate said bridge as a lawful structure subject to 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 Big Creek Bridge Company, Consolidated, its successors and assigns, 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 authority contained in the Act of March 23, 1906.

SEC. 3. After the completion of such bridge, as determined by the Secretary of War, either the State of West Virginia, the State of Kentucky, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located,

August 18, 1941
[H. R. 4315]
[Public Law 225]

Tug Fork of Big
Sandy River.
Completion of bridge
across, at Nolan, W.
Va.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

Tolls.

Acquisition by
State, etc., after com-
pletion.

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 either of such States 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 goodwill, 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 interests in real property; (3) actual financing and promotion costs, not to exceed 5 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.

Acquisition after expiration of 5 years after completion.

Application of tolls to operation, sinking fund, etc.

SEC. 4. If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 3 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. 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.

Operation as free bridge after amortizing costs, etc.

Record of expenditures and receipts.

Statement of construction costs, etc.

SEC. 5. The Big Creek Bridge Company, Consolidated, its successors and assigns, shall within ninety days after the completion of such bridge file with the Secretary of War and with the highway departments of the States of West Virginia and Kentucky, 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 upon request of the highway department of either of such States 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 Big Creek Bridge Company, Consolidated, 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 3 of this Act, subject only to review in a court of equity for fraud or gross mistake.

Investigation of costs.

Secretary's findings conclusive; exception.

Right to sell, transfer, etc.

SEC. 6. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the Big Creek Bridge Company, Consolidated, its successors and assigns, and any 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.

SEC. 7. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 18, 1941.

Right to amend, etc.

[CHAPTER 375]

AN ACT

To permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia.

August 18, 1941

[H. R. 4582]

[Public Law 226]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and are hereby, authorized and empowered to grant permission to Steuart Brothers, Incorporated, a corporation organized in the State of Delaware, lessee of square south of 1048 bounded by M Street Southeast on the north, Fourteenth Street Southeast and Water Street Southeast on the east, and Virginia Avenue on the south, in the city of Washington, in the District of Columbia, its successors and assigns, to lay down, construct, maintain, and use not more than five pipe lines for the carriage of petroleum and petroleum products with such auxiliary steam lines as may be necessary from a point or points within said square south of 1048 due north in and through M Street Southeast to the right-of-way of the Philadelphia, Baltimore and Washington Railroad; and also the right to lay down, construct, maintain, and use not more than five pipe lines for the carriage of petroleum and petroleum products with such auxiliary steam lines as may be necessary from a point or points within square south of 1048 due north to the said M Street, thence westwardly along the said M Street to its intersection with Thirteenth Street Southeast, thence south in and along the said Thirteenth Street to the Anacostia River.

District of Columbia.

Petroleum pipe lines, construction, etc.

SEC. 2. That all the construction and use provided for herein shall be under such regulations and rentals as the Commissioners of the District of Columbia may make and establish in connection therewith and all plans and specifications for such construction shall be subject to their approval. The Commissioners of the District of Columbia shall have full authority to designate the location and to cause such repairs or relocation of said pipe lines as the public necessity may require, any such repairs or relocation to be at the expense of the Steuart Brothers, Incorporated, its successors or assigns.

Regulations and rentals.

Approval of plans, etc.

SEC. 3. That no permission granted or enjoyed hereunder shall vest any title or interest in or to the land within Thirteenth Street Southeast or M Street Southeast.

Property rights.

SEC. 4. The right to alter, amend, or repeal this Act is expressly reserved.

Approved, August 18, 1941.

[CHAPTER 376]

AN ACT

Granting the consent of Congress to the Department of Highways, Commonwealth of Virginia, to construct, maintain, and operate two free bridges across the New River, one at Bluff City and the other at Eggleston, in the State of Virginia.

August 18, 1941

[H. R. 4732]

[Public Law 227]

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 Department of Highways, Commonwealth of Virginia, to construct, maintain, and operate two free highway bridges and approaches thereto across the New River, at

New River.
Bridges authorized across, at Bluff City and Eggleston, Va.