

Punishment for use
after termination.

or which he may be authorized to divert hereunder. Any such permittee who without further authority of Congress diverts after the time herein named for the expiration of such permit any part of the additional amount of water, authorized by Congress to be diverted for the first time under this resolution, shall be guilty of a misdemeanor and be punished by a fine not exceeding \$2,000 nor less than \$500, or by imprisonment not exceeding one year nor less than thirty days, or both in the discretion of the court; and each and every day on which such violation occurs or is committed shall be deemed a separate offense: *Provided*, That where such violation is charged against the company or corporate body, the offense shall be taken and deemed to be that of any director, officer, agent, or employee of such company or corporate body ordering, directing, or permitting the same.

Approved, January 19, 1917.

Corporations liable
for acts of agents, etc.

January 19, 1917.
[S. J. Res. 194.]

[Pub. Res., No. 46.]

CHAP. 19.—Joint Resolution Providing for the filling of a vacancy which will occur March first, nineteen hundred and seventeen, in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress.

Smithsonian Institution.
John B. Henderson
reappointed as regent.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur on March first, nineteen hundred and seventeen, by reason of the expiration of the term of Mr. John B. Henderson, of the city of Washington, be filled by the reappointment of the said John B. Henderson for the ensuing term.

Approved, January 19, 1917.

January 25, 1917.
[S. 5718.]

[Public, No. 293.]

CHAP. 20.—An Act To provide for an auxiliary reclamation project in connection with the Yuma project, Arizona.

Yuma reclamation
project, Arizona.
Sale of lands as aux-
iliary project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to set apart any lands in the State of Arizona heretofore or hereafter withdrawn under the reclamation law, in connection with the Yuma reclamation project, as an auxiliary reclamation project or unit, and sell, in tracts of such size as he may determine of not more than one hundred and sixty acres to any one purchaser, the lands so set apart and believed to be susceptible of irrigation, at public sale under suitable regulations, for not less than the reasonable value per acre of the land plus the estimated cost per acre of reclamation works to be constructed for the reclamation of said lands so set apart plus the proportionate cost per acre of the works previously constructed and available therefor. That appurtenant water rights for lands in private ownership may be sold for not to exceed one hundred and sixty acres to any one person at a price equal to the estimated cost per acre of the works to be constructed plus the proportionate cost per acre of the works previously constructed and available for the lands, if any there be, payment to be made under the same terms as for public land under the provisions of section two. Final water-right certificate shall not be issued to such private land until payment has been made in full. No works shall be constructed nor water delivered through any of the works of the Yuma project for the irrigation of any such private lands unless application has been made to purchase a water right for such land under the terms and provisions of this section. The Secretary of the

Water rights to pri-
vate owners.

Conditions.

Determination
price, etc. of

Interior at or prior to the time of sale, shall fix and determine (a) the reasonable value of the land per acre; (b) the estimated cost per acre of the works to be constructed; and (c) the proportionate cost per acre of the works previously constructed and available for the lands offered for sale.

SEC. 2. That all bidders at such public sale shall be required to make a deposit of ten per centum of the amount bid for the tract proposed to be purchased, and upon notice from the Secretary of the Interior that such bid has been accepted shall be required to pay fifteen per centum additional within sixty days after such notice. In case of failure to do so the deposit shall be forfeited and the corresponding lands shall be available for further sale. In case the bids for the lands shall not aggregate a sufficient amount within six months from the time fixed for the filing of bids to meet the probable cost as announced, all deposits shall be returned. The remaining seventy-five per centum of the purchase price shall be paid in three annual installments, with interest at six per centum per annum on deferred payments until paid, running from the date of notice to pay the additional fifteen per centum, but advance payments may be received at any time. Upon full payment of the purchase price patent shall issue for the lands, and no qualification or limitation shall be required of any purchaser or patentee except that he be a citizen of the United States. Such patent shall also contain a grant of a water right appurtenant to the land: *Provided*, That any person who has made an entry which is now valid and subsisting, or who has a preference right to make entry, for any irrigable land embraced within the limits of the auxiliary project, may purchase said land at the price of \$2.50 per acre and shall be subject to the same payments for the irrigation works as is required of persons holding private lands under the provisions of section one hereof: *Provided further*, That the purchasers or owners of the land to be irrigated under said auxiliary reclamation project shall also agree to pay to the United States the total actual cost of the works of said auxiliary reclamation project in the event that the actual cost of said works shall exceed the estimated cost thereof.

SEC. 3. That the moneys received under the provisions of this Act shall be paid into the Treasury of the United States and be covered into a separate fund known as the auxiliary reclamation fund of the Yuma project, Arizona.

SEC. 4. That the money in the said auxiliary reclamation fund of the Yuma project, Arizona, shall be available for the construction or completion of irrigation works for the said auxiliary project or unit to the extent of the moneys received on account thereof in connection with the sale of the lands therein. The landowners shall pay the cost of operation and maintenance, and the charges to cover such cost as fixed by the Secretary of the Interior shall be paid each year in advance of the delivery of water. Upon the announcement by the Secretary of the Interior of the completion of the said auxiliary project or unit thereof, the operation and maintenance of the irrigation works shall, as soon as practicable, be turned over to an organization representing a majority of the landowners, to be operated and maintained by them at their expense in accordance with a contract therefor to be made with the Secretary of the Interior.

SEC. 5. Any surplus of funds paid on account of construction remaining after completion thereof, and that any money remaining in said separate fund known as the auxiliary reclamation fund of the Yuma project, Arizona, after completion of the said auxiliary project and after reimbursement of the reclamation fund for the proportionate share of works built by means of the latter fund shall be

Payments by bidders.

Return of deposits, etc.

Installments.

Patents to water right grant.

Provisos. Pending entries, etc.

Payment of actual construction cost.

Receipts made a special fund.

Use of fund.

Payments by land owners.

Operation on completion.

Use of surplus funds.

credited to the cost of operation and maintenance of the works of the said auxiliary project, and any balance thereof on hand when the said auxiliary project is taken over, as provided in section four, shall be paid to the contracting organization.

General irrigation provisions applicable.

SEC. 6. That the provisions of the reclamation Act of June seventeenth, nineteen hundred and two, and Acts amendatory thereof and supplementary thereto, known as the reclamation law, shall be applicable to such auxiliary project, except any portions of such Acts as may be in conflict with the provisions hereof.

Regulations, etc.

SEC. 7. That 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, January 25, 1917.

January 25, 1917.
[S. 1093.]

[Public, No. 294.]

CHAP. 21.—An Act To permit the Denison Coal Company to relinquish certain lands embraced in its Choctaw and Chickasaw coal lease and to include within said lease other lands within the segregated coal area.

Choctaw coal lands, Oklahoma.

Vol. 36, p. 832, amended.

Denison Coal Company. Exchange of leased lands permitted.

Description.

Proviso. Purchase of surface lands for mining use.

Vol. 37, p. 67.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section two of the Act of Congress approved June twenty-fifth, nineteen hundred and ten (Thirty-sixth Statutes at Large, page eight hundred and thirty-two), entitled "An Act granting to Savanna Coal Company, right to acquire additional acreage to its existing coal lease in the Choctaw Nation, Pittsburg County, Oklahoma, and for other purposes," be, and the same is hereby, amended to read as follows:

"SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to permit the Denison Coal Company to relinquish the lands embraced in its existing Choctaw and Chickasaw coal lease, all of which lands have been demonstrated to be not valuable for coal, and to include within the said lease in lieu thereof the following described lands which are within the segregated coal area and unleased: The southwest quarter of the northeast quarter, and northeast quarter of the northwest quarter, and south half of the northwest quarter, and north half of the southwest quarter, and southwest quarter of the southwest quarter, all in section six, township three north, range fourteen east; and south half of the southeast quarter of the northeast quarter, and east half of the southeast quarter, and south half of the northwest quarter of the southeast quarter, and southwest quarter of the southeast quarter, and southeast quarter of the southwest quarter, and south half of the southwest quarter of the southwest quarter, all in section one, township three north, range thirteen east; and northwest quarter of the northeast quarter, and north half of the northwest quarter, and southwest quarter of the northwest quarter, all in section twelve, township three north, range thirteen east; and east half of the northeast quarter, and south half of the northwest quarter of the northeast quarter, and southwest quarter of the northeast quarter, and northwest quarter of the southeast quarter, and southeast quarter of the northwest quarter, and north half of the southwest quarter, all in section eleven, township three north, range thirteen east, nine hundred and sixty acres, more or less: *Provided*, That if the surface of said lands has not been sold in accordance with the provisions of the Act of February nineteenth, nineteen hundred and twelve (Thirty-seventh Statutes at Large, page sixty-seven), the said Denison Coal Company shall have the right to use only so much of the surface of said lands as may be reasonably necessary for the purpose of carry-