

SEC. 5. That the provisions of this Act shall in no manner interfere with or impair the rights of any person, company, or corporation heretofore authorized by Congress to erect a dam or other structures for the development of water power on the Coosa River.

Prior rights not affected.

SEC. 6. That the right to alter, amend, or repeal this Act is expressly reserved.

Amendment.

Approved, May 9, 1906.

CHAP. 2439.—An Act For the diversion of water from the Sacramento River, in the State of California, for irrigation purposes.

May 9, 1906.
[H. R. 11796.]

[Public, No. 151.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Central Canal and Irrigation Company, a corporation organized and existing under the laws of the State of California, and its successors, are hereby granted the right to divert, at all seasons of the year, from the Sacramento River, in the State of California, while and so long as such diversion shall not seriously injure the navigation of said river, an amount of water which, at a stage of said river of two feet above low water, as determined by the United States engineer in charge of the improvement of said river, or at any lower stage, shall not exceed nine hundred cubic feet per second, to be used for irrigating the lands of the Sacramento Valley, on the west side of the Sacramento River, in said State of California. Said water to be diverted from the said Sacramento River on its west bank, between the points on said river known as Swifts Point and Squaw Hill, and the said Central Canal and Irrigation Company is hereby granted the right to erect the necessary works to effectively divert the said water: *Provided,* That the company shall provide suitable structures for regulating the flow of water from the river into their canals and suitable apparatus for measuring the amount of water taken from the river, and that such structures and apparatus shall be at all times subject to inspection, test, and use by officers or agents of the War Department: *And provided further,* That the company shall submit for approval of the Chief of Engineers and the Secretary of War plans of its proposed structures for diverting and measuring the water, and until such approval is given the structures shall not be begun: *And provided further,* That the diversion of water from the river in excess of the quantity herein authorized to be diverted shall be deemed a violation of section ten of the river and harbor Act of March third, eighteen hundred and ninety-nine, and shall subject the company to the penalties prescribed by law for violations of the provisions of said section, and the removal of any structures erected by said company may be enforced as provided in section twelve of the said Act: *And provided further,* That if, in the judgment of the Secretary of War, the amount of water actually diverted shall seriously injure the navigation of the river, the suspension of operations by the said company may be temporarily ordered and enforced by the Secretary of War in such manner and to the extent as may be necessary to preserve the requirements of navigation until such time that the circuit court of the United States for the northern district of California, upon application of any interested party, shall determine the rights as provided by this Act: and all rights granted herein and the removal of any of the structures or parts of structures erected under the provisions hereof may be enforced as provided in section twelve of the river and harbor Act approved on the third day of March, eighteen hundred and ninety-nine, except that suit for any of the purposes herein named may be instituted by the district attorney of the United States for the northern district of California upon request

Sacramento River, Cal.
Central Canal and Irrigation Company may divert waters of, for irrigating purposes.

Restricted use of water.

Location of plant.

Provisos.
Structures for regulating flow of water, etc.

Secretary of War to approve plans, etc.

Penalty for excessive diversion of water.

Vol. 30, p. 1151.

Protection to navigation.

Removal of structures.
Vol. 30, p. 1151.

Proceedings.

- Payment of costs. of the Secretary of War or Chief of Engineers: *And provided further,* That all costs accruing in any suit or proceeding hereunder instituted by the Government or any of its officers or agents shall be borne by the said Central Canal and Irrigation Company, its successors or assigns.
- Service of legal process. SEC. 2. That in actions against the United States, Secretary of War, or Chief of Engineers under this Act the service of all legal process, including summons, orders, writs of injunction, or restraining orders, shall be upon the United States district attorney for the northern district of California, and when service of said legal process, summons, orders, writs of injunction, or restraining orders is so made as herein provided, the United States, Secretary of War, or Chief of Engineers shall be deemed within the jurisdiction of all courts having jurisdiction herein for all purposes.
- Cancellation of rights. SEC. 3. That after fifteen years from the passage of this Act the rights hereby granted shall be subject to cancellation by the Secretary of War, without any further act or procedure on the part of the United States, as to such portion of the waters as are not then applied to beneficial use. The said Central Canal and Irrigation Company, its successors or assigns, shall have no claim against the United States for any right so canceled.
- Time of construction. SEC. 4. That this Act shall be null and void if the actual construction of the structures for diversion and measurement of water herein authorized be not commenced within two years and completed within five years from the date hereof.
- Amendment. SEC. 5. That the right to alter, amend, or repeal this Act is hereby expressly reserved.
- Approved, May 9, 1906.

- May 10, 1906.
[H. R. 16521.]
[Public, No. 152.]
- Public lands.
Sale of land to Johnson county, Wyo., for poor farm.
- CHAP. 2440.—An Act Directing the Secretary of the Interior to sell and convey a certain parcel of land to Johnson County, Wyoming.
- 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 be, and he is hereby, authorized and directed to sell and convey to the county of Johnson, in the State of Wyoming, for a poor farm, the following-described tract of land, to wit: The northeast quarter of the northwest quarter and the north half of the northeast quarter of section eight, and the northwest quarter of the northwest quarter of section nine, in township fifty north, of range eighty-two west, upon the payment by the said county of the sum of one dollar and twenty-five cents per acre for the said lands.
- Approved, May 10, 1906.

- May 11, 1906.
[S. 2140.]
[Public, No. 153.]
- Postal service.
Disposal of useless papers in post-offices.
- Proceeds.
- CHAP. 2448.—An Act To authorize the Postmaster-General to dispose of useless papers in post-offices.
- Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster-General is hereby authorized to sell as waste paper or otherwise dispose of the files of papers which have accumulated or may hereafter accumulate in post-offices, that are not needed in the transaction of current business and have no permanent value or historical interest, and pay the proceeds of said sales into the Treasury as postal revenues.
- Approved, May 11, 1906.