

the city of Warren, in the county of Trumbull, in the State of Ohio: *Provided*, That the work shall not be commenced until the plans therefor have been filed with and approved by the Chief of Engineers, United States Army, and by the Secretary of War: *Provided further*, That this Act shall not be construed to authorize the use of such dam to develop water power or generate electricity: *And provided further*, That the authority hereby granted shall cease and be null and void unless the actual construction of the dam herein authorized be commenced within one year and completed within three years from the date of the passage of this Act: *And provided further*, That the consent hereby given shall terminate and be at an end from and after thirty days' notice from the Federal Power Commission, or other authorized agency of the United States, to said company or its successors, that desirable water-power development will be interfered with by the existence of said dam; and any grantee or licensee of the United States proposing to develop a power project at or near said dam shall have authority to remove, submerge, or utilize said dam under such conditions as said commission or other agency may determine, but such conditions shall not include compensation for the removal, submergence, or utilization of said dam if the water level to be maintained in said power project is higher than the level of the crest of said dam.

Removal, etc., by power licensee.

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

Approved, July 15, 1921.

Provisos.
Approval of plans.

Use for power, etc., forbidden.

Construction and completion.

Termination if interfering with power development.

Removal, etc., by power licensee.

Amendment.

CHAP. 47.—An Act Providing for the appraisal and sale of the Vashon Island Military Reservation in the State of Washington, and for other purposes.

July 15, 1921.
[H. R. 5622.]
[Public, No. 38.]

Vashon Island, Wash.
Survey, etc., directed of abandoned military reservation.

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 shall cause the land in the Vashon Island abandoned military reservation in sections one, two, and three, all in township twenty-one north, range two east, Willamette meridian, in the county of King, in the State of Washington, to be surveyed and subdivided into tracts and lots to conform as far as practicable to the tracts and lots lawfully occupied by the tenants thereon as lessees or sublessees on May 1, 1920.

Occupants under former lease may purchase a surveyed tract at appraised value.

SEC. 2. That after said survey and the approval thereof by the Commissioner of the General Land Office the plat thereof shall be filed in the office of the register and receiver in the manner provided by law, and thereafter any person who as lessee or sublessee was in actual occupation of any portion of the lands described in section 1 hereof on the 1st day of May, 1920, who made actual settlement thereon in good faith under the terms of a certain lease held of the War Department by one James Bachelor, or a sublease thereunder, or anyone who has since said date succeeded to the occupation and interest of any such prior settler, his heirs or assigns, shall be entitled to purchase for the appraised value one of such surveyed tracts so occupied, no right of purchase to exceed the tract actually occupied and improved by a lawful lessee or sublessee on May 1, 1920, and in no case exceeding twenty acres in a body, according to Government surveys and subdivisions thereof, upon the payment to the Government of a sum of money equal to the appraised value thereof, such appraisement to be made as provided by law: *Provided*, That in making such appraisement the appraisers shall not include the improvements thereon made by the occupants of such lands: *Provided further*, That payment to the Government may be made in one sum, or not less than one-tenth cash and the balance in nine or less number of

Limitation.

Provisos.
Appraisal restriction.

Installment payments allowed.

equal annual installments, with interest at 5 per centum per annum, payable annually, as the purchaser may elect, and with the option in the purchaser, his heirs and assigns, to pay the remaining installments on any date when installment becomes due.

SEC. 3. That if any tract of the lands described in section 1 hereof be not purchased by the lessee or sublessee, his heirs or assigns, as provided in section 2 of this Act, within ninety days after the same becomes subject to purchase under the provisions of this Act, then and in that event the Secretary of the Interior is hereby authorized to dispose of the remaining lands under the provisions of the Act of Congress of July 5, 1884, entitled "An Act to provide for the disposal of abandoned and useless military reservations," and the said lessees, sublessees, heirs or assigns, who do not purchase such tracts shall have the privilege within a period to be fixed by the Secretary of removing from their tracts any buildings placed thereon, and the Secretary of the Interior is authorized to reappraise any unsold tracts from time to time before offering the same for sale under said Act of July 5, 1884.

SEC. 4. That the Secretary of the Interior in making the survey provided for by this Act shall ascertain what part of said lands, if any, are needed for lighthouse or roadway purposes, and any lands needed for such purposes shall be segregated or reserved for such use, and the lands so segregated or reserved shall not be subject to disposal hereunder.

Approved, July 15, 1921.

Tracts not purchased to be sold at public sale.

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Removal of buildings by lessees, etc.

Reservations for lighthouse or roadway uses.

CHAP. 48.—An Act Granting certain public lands to the city of Phoenix, Arizona, for municipal purposes.

July 15, 1921.

[H. R. 2421.]

[Public, No. 39.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the south half of the northwest quarter and the north half of the southwest quarter of section twenty-three, township one north, range two east, Gila and Salt River meridian, Arizona, be, and the same is hereby, granted to the city of Phoenix, Arizona, for municipal purposes, upon condition that the said city shall make payment for such land at the rate of \$1.25 per acre to the receiver of the United States land office at Phoenix, Arizona, within sixty days after the approval of this Act: *Provided,* That there shall be reserved to the United States all oil, coal, or other mineral deposits found at any time in the land, and the right to prospect for, mine, and remove the same: *Provided further,* That the grant herein is made subject to any valid existing easements on said land and upon the express condition that within thirty days of the receipt of any request therefor from the Secretary of the Interior the mayor of said city shall submit to the Secretary of the Interior a report as to the use of the land herein granted during the period named in such request, and that in the event of his failure to so report, or if it is shown in such a report or if the Secretary shall otherwise determine that the terms of this grant have not been complied with, the grant shall be held forfeited, and the Attorney General of the United States shall institute suit in the proper court for the recovery of said lands.

Publiclands. Granted Phoenix, Ariz., for municipal purposes.

Payment.

Provisos. Mineral, etc., deposits reserved.

Report of use of grant.

Forfeiture on non-compliance with terms.

Approved, July 15, 1921.

CHAP. 49.—An Act To authorize the construction of a dam across Wabash River at Huntington, Indiana.

July 18, 1921.

[H. R. 6814.]

[Public, No. 40.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress

Wabash River.