

incorporated city, of Sebastian County, Arkansas, to construct, maintain, and operate a dam across the Poteau River, at a point suitable to the interests of navigation, at or near a point just west of the State line dividing the States of Arkansas and Oklahoma, and near or just above the mouth of Mill Creek: *Provided*, That the crest of such dam shall not exceed an elevation of six feet above the low-water stage of the Poteau River and that the city of Fort Smith shall be responsible and pay for all damage which may accrue to the Choctaw and Chickasaw Indians as a result of the construction of the dam or the use by the city of Fort Smith of the Poteau River for water-supply purposes: *Provided further*, That the work shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers, United States Army, and by the Secretary of War: *Provided further*, That in approving the plans for said dam such conditions and stipulations may be imposed as the Chief of Engineers and the Secretary of War may deem necessary to protect the present and future interests of the United States, which may include the condition that the said city shall construct, maintain, and operate, without expense to the United States in connection with said dam, a lock, boom, sluice, or any other structure or structures which the Secretary of War and the Chief of Engineers or Congress at any time may deem necessary in the interests of navigation, in accordance with such plans as they may approve: *And provided further*, That this Act shall not be construed to authorize the use of such dam to develop water power or generate hydroelectric energy.

SEC. 2. That the authority granted by this Act shall cease and be null and void unless the actual construction of the dam hereby authorized is commenced within one year and completed within three years from the date of approval of this Act: *Provided*, That from and after thirty days' notice from the Federal Power Commission, or other authorized agency of the United States, to said city or their successors, that desirable water-power development will be interfered with by the existence of said dam, the authority hereby granted to construct, maintain, and operate said dam shall terminate and be at an end; 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.

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

Approved, March 3, 1927.

CHAP. 335.—An Act To authorize the Secretary of the Interior to exchange for lands in private ownership in Gunnison County, Colorado, certain public lands in Delta County, Colorado.

*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 and empowered, in his discretion, to exchange certain public lands in the county of Delta, State of Colorado, described as follows: The southwest quarter of the southwest quarter of section 2, the south half of the south half of section 3, the north half of the north half of section 10, and the northwest quarter of the northwest quarter of section 11, all in township 13 south of range 91 west of the sixth principal meridian, for other lands of approximately equal aggregate value

*Proviso.*  
Elevation of dam.

Payment of damages.

Approval of plans.

Construction of lock,  
etc., may be required.

Power use not au-  
thorized.

Time of construction.

*Proviso.*  
Authority to termi-  
nate on notice from  
Federal Power Com-  
mission of interfering  
with water power de-  
velopment.

Grantee of power  
project may remove,  
etc., dam.

Amendment.

March 3, 1927.  
[S. 4069.]  
[Public. No. 738.]

Public lands.  
Exchange of, in Colo-  
rado, with Juanita Coal  
and Coke Company.

now owned by the Juanita Coal and Coke Company, a Colorado corporation, and situate in the county of Gunnison, State of Colorado, described as follows: The east half and the southwest quarter of section 19, all in township 13 south of range 90 west of the sixth principal meridian: *Provided*, That by such action he will be enabled advantageously to consolidate the holdings of coal lands by the United States: *And provided further*, That patent to be issued for the south half of the southwest quarter of section 3, township 13 south, of range 91 west, shall contain appropriate notations as provided by section 9 of the Act of December 29, 1916 (Thirty-ninth Statutes, page 862).

*Proviso.*  
Federal holdings consolidated.

Reservations.

Vol. 39, p. 864.

Authority conferred.

SEC. 2. 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, March 3, 1927.

March 3, 1927.

[S. 4328.]

[Public, No. 739.]

**CHAP. 336.**—An Act To authorize the appointment of an additional judge for the district court of the United States for the northern district of California.

California northern judicial district.  
Additional judge to be appointed for.

Vol. 36, p. 1087.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President is hereby authorized, by and with the advice and consent of the Senate, to appoint a judge to fill a vacancy created in the district court of the United States for the northern district of California, occasioned by the death of Honorable John S. Partridge, who was appointed as an additional judge in said district under the provisions of the Act of Congress entitled "An Act for the appointment of an additional circuit judge for the fourth judicial district, for the appointment of additional district judges for certain districts, providing for an annual conference of certain judges, and for other purposes," approved September 14, 1922.

Vol. 42, p. 838.

Residence, etc.

SEC. 2. The judge appointed hereunder shall reside in said district and his compensation and powers shall be the same as now provided by law for the judges of said district.

Effective immediately.

SEC. 3. This Act shall take effect immediately.

Approved, March 3, 1927.

March 3, 1927.

[S. 4746.]

[Public, No. 740.]

**CHAP. 337.**—An Act Authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton.

Cotton statistics.  
Annual publication of stocks of grades and staple lengths in warehouses on August 1 of each year.

Estimates of grades, etc., in current crops.

*Proviso.*  
Three estimates of each crop.  
Statement of tenderable or untenderable for future delivery.  
Vol. 39, p. 476.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of Agriculture be, and he is hereby, authorized and directed to collect and publish annually, on dates to be announced by him, statistics or estimates concerning the grades and staple length of stocks of cotton, known as the carry-over, on hand on the 1st of August of each year in warehouses and other establishments of every character in the continental United States; and following such publication each year, to publish, at intervals in his discretion, his estimate of the grades and staple length of cotton of the then current crop: *Provided*. That not less than three such estimates shall be published with respect to each crop. In any such statistics or estimates published, the cotton which on the date for which such statistics are published may be recognized as tenderable on contracts of sale of cotton for future delivery under the United States Cotton Futures Act of August 11, 1916, as amended, shall be stated separately from that which may be untenderable under said Act as amended.