

north of Rittenhouse street, west of Thirty-third street, and southeast of the District line, under the provisions contained in the Act of Congress approved March second, eighteen hundred and ninety-three, entitled "An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," and an amendment to said Act approved June twenty-eighth, eighteen hundred and ninety-eight; that upon the completion and recording of said new highway plan it shall take the place of and stand for any previous plan for said portion of the District of Columbia.

Approved, February 20, 1911.

Vol. 27, p. 532.

Vol. 30, p. 519.

CHAP. 135.—An Act To authorize the extension of Thirteenth street northwest from its present terminus north of Madison street to Piney Branch road.

February 20, 1911.

[H. R. 22688.]

[Public, No. 405.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That under and in accordance with the provisions of subchapter one of chapter fifteen of the Code of Law for the District of Columbia, within six months after the passage of this Act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the supreme court of the District of Columbia a proceeding in rem to condemn the land that may be necessary for the opening of Thirteenth street northwest from its terminus north of Madison street to Piney Branch road, with a width of one hundred and ten feet according to the plan for a permanent system of highways in the District of Columbia: *Provided, however,* That the entire amount found to be due and awarded by the jury in said proceeding as damages, for and in respect of the land to be condemned for said extension, plus the costs and expenses of said proceeding, shall be assessed by the jury as benefits.

District of Columbia.
Thirteenth street
northwest.
Condemning land
for extending.
Vol. 34, p. 151.

Proviso.
Damages assessed
as benefits.

SEC. 2. That there is hereby appropriated out of the revenues of the District of Columbia an amount sufficient to pay the necessary costs and expenses of the said condemnation proceedings taken pursuant hereto, and for the payment of the amounts awarded as damages, to be repaid to the District of Columbia from the assessments for benefits and covered into the Treasury to the credit of the revenues of the District of Columbia.

Appropriations for
expenses, etc.

Payment of awards.

Approved, February 20, 1911.

CHAP. 141.—An Act To authorize the Government to contract for impounding, storing, and carriage of water, and to cooperate in the construction and use of reservoirs and canals under reclamation projects, and for other purposes.

February 21, 1911.

[S. 6953.]

[Public, No. 406.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever in carrying out the provisions of the reclamation law, storage or carrying capacity has been or may be provided in excess of the requirements of the lands to be irrigated under any project, the Secretary of the Interior, preserving a first right to lands and entrymen under the project, is hereby authorized, upon such terms as he may determine to be just and equitable, to contract for the impounding, storage, and carriage of water to an extent not exceeding such excess capacity with irrigation systems operating under the Act of August eighteenth, eighteen hundred and ninety-four, known as the Carey Act, and individuals, corporations, associations, and irrigation districts organized for or engaged in furnishing or in distributing water for irrigation. Water so impounded, stored, or carried under any such contract shall be for the purpose of distribution to individual water users by the party with whom the con-

Reclamation proj-
ects.
Irrigation systems
under Carey Act may
contract for excess
waters.
Vol. 28, p. 422.

Distribution to indi-
vidual users.

Proviso.
Restriction on im-
pounded water.

Charges.

Maximum.

Cooperation with
water users for reser-
voirs, etc.

Provisos.
Title to works, etc.
Vol. 32, p. 389.
Limit of water al-
lowed.

Right to control
streams not affected.

Moneys to be avail-
able for reclamation
fund.

tract is made: *Provided, however,* That water so impounded, stored, or carried shall not be used otherwise than as prescribed by law as to lands held in private ownership within Government reclamation projects. In fixing the charges under any such contract for impounding, storing, or carrying water for any irrigation system, corporation, association, district, or individual, as herein provided, the Secretary shall take into consideration the cost of construction and maintenance of the reservoir by which such water is to be impounded or stored and the canal by which it is to be carried, and such charges shall be just and equitable as to water users under the Government project. No irrigation system, district, association, corporation, or individual so contracting shall make any charge for the storage, carriage, or delivery of such water in excess of the charge paid to the United States except to such extent as may be reasonably necessary to cover cost of carriage and delivery of such water through their works.

SEC. 2. That in carrying out the provisions of said reclamation Act and Acts amendatory thereof or supplementary thereto, the Secretary of the Interior is authorized, upon such terms as may be agreed upon, to cooperate with irrigation districts, water users associations, corporations, entrymen or water users for the construction or use of such reservoirs, canals, or ditches as may be advantageously used by the Government and irrigation districts, water users associations, corporations, entrymen or water users for impounding, delivering and carrying water for irrigation purposes: *Provided,* That the title to and management of the works so constructed shall be subject to the provisions of section six of said Act: *Provided further,* That water shall not be furnished from any such reservoir or delivered through any such canal or ditch to any one landowner in excess of an amount sufficient to irrigate one hundred and sixty acres: *Provided,* That nothing contained in this Act shall be held or construed as enlarging or attempting to enlarge the right of the United States, under existing law, to control the waters of any stream in any State.

SEC. 3. That the moneys received in pursuance of such contracts shall be covered into the reclamation fund and be available for use under the terms of the reclamation Act and the Acts amendatory thereof or supplementary thereto.

Approved, February 21, 1911.

February 21, 1911.
[H. R. 26685.]

[Public, No. 407.]

CHAP. 142.—An Act To authorize E. J. Bomer and S. B. Wilson to construct and operate an electric railway over the National Cemetery road at Vicksburg, Mississippi.

National cemetery,
Vicksburg, Miss.
Right of way grant-
ed over road to.

Provisos.
Driveway, etc.

Secretary of War to
approve plans, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That permission is hereby given to E. J. Bomer and S. B. Wilson, their associates, successors, and assigns, to erect, construct, operate, and maintain an electric railway over and along the National Cemetery road, at Vicksburg, Mississippi, from said city of Vicksburg northward to the northern boundary of the government right of way for said road: *Provided,* That a minimum width of thirty feet of roadway, over and above that used by the railway tracks, be left all along said road for a driveway, sidewalk, and gutters; that the licensees, their associates, successors, and assigns, shall repair all damage done to the government roadway by the construction of their line of railway, and shall maintain their railway and said roadway within the tracks and for two feet on each side of the tracks in proper state and repair thereafter: *And provided further,* That said electric railway shall be constructed, operated, and maintained according to plans and specifications to be submitted to and approved by the Secretary of War, and under such regulations as may