

Improper conduct.

the corporation for the preceding year, and its financial position. If said superintendent shall have reason to believe that this corporation is not complying with the provisions of this charter, or is being operated for profit, or fraudulently conducted, he shall cause to be instituted the necessary proceedings to enjoin such improper conduct, or to dissolve this corporation.

Investments.

SEC. 6. The funds of this company may be invested only in securities in which the funds of insurance companies may be invested, as provided by the laws of the District of Columbia.

Application of D. C. laws.

SEC. 7. This corporation shall not be subject to the provisions of statutes regulating the business of insurance in the District of Columbia, but shall be exempt therefrom unless specifically designated therein.

Purposes declared; property tax-exempt; exception.

SEC. 8. This corporation is hereby declared to be a charitable and benevolent institution, and all of its funds and property shall be exempt from taxation other than taxes on real estate.

Corporate authority.

SEC. 9. The corporation is hereby authorized and empowered to take over, carry out, and assume all contracts, obligations, assets, and liabilities of a corporation heretofore organized and now doing business in the District of Columbia under the name of Group Hospitalization, Inc.

Right to amend or repeal reserved.

SEC. 10. This Act may be altered, amended, or repealed at the pleasure of the Congress of the United States of America.

Approved, August 11, 1939.

[CHAPTER 699]

AN ACT

August 11, 1939
[H. R. 6634]
[Public, No. 396]

Amending previous flood-control Acts, and authorizing certain preliminary examinations and surveys for flood control, and for other purposes.

Flood control.

50 Stat. 877,
33 U. S. C., Supp.
IV, § 701g.
Removal of debris,
etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Flood Control Act of August 28, 1937, is hereby amended to read as follows:

"That the Secretary of War is hereby authorized to allot not to exceed \$300,000 from any appropriations heretofore or hereafter made for any one fiscal year for flood control, for removing accumulated snags and other debris and clearing channels in navigable streams and tributaries thereof when in the opinion of the Chief of Engineers such work is advisable in the interest of flood control: *Provided,* That not more than \$25,000 shall be allotted for this purpose for any single tributary from the appropriations for any one fiscal year."

Proviso.
Restriction.

Funds made available for surveys, preparing reports, etc.

SEC. 2. Funds heretofore or hereafter appropriated for construction and maintenance of flood-control works by the War Department shall be available for expenditure by the War Department in making examinations and surveys for flood control heretofore or hereafter authorized, or in preparing reports in review thereof as authorized by law, in addition to funds heretofore authorized to be expended for such purposes by the War Department.

52 Stat. 804,
33 U. S. C., Supp.
IV, § 558b.

Exchange of land or other property.
Buffalo Bayou and tributaries, Tex.
52 Stat. 802.

SEC. 3. That section 2 of the River and Harbor Act of June 20, 1938, is hereby made applicable to authorized works of flood control.

SEC. 3a. Buffalo Bayou and its tributaries, Texas; the project set forth in House Document Numbered 456, Seventy-fifth Congress, and authorized by Public Law Numbered 685, Seventy-fifth Congress, is hereby modified in accordance with the provisions of section 2 of Public Law Numbered 761, Seventy-fifth Congress, and all requirements of local cooperation inconsistent with said section 2 are hereby eliminated.

52 Stat. 1215,
33 U. S. C., Supp.
IV, § 701c (note).

Ohio River Basin.
52 Stat. 1217.

SEC. 4. The flood-control plan for the Ohio River Basin authorized in section 4 of the Act of Congress June 28, 1938 (Public, Numbered

761, Seventy-fifth Congress), shall include the Muskingum River Valley Dams and reservoirs as set forth in the official plan of the Muskingum Watershed Conservancy District and the provisions of section 2 of the said Act shall apply thereto: *Provided, however*, That the reimbursements in connection with the Muskingum project shall include, in addition to payments to landowners, the reasonable expenses of acquiring lands, easements, or rights-of-way heretofore transferred to the United States, as well as those hereafter transferred and the reasonable expenditures made in acquiring lands or rights-of-way transferred to railroads or other utilities in connection with the relocation of such facilities other than highways. Such reimbursements shall be made from funds heretofore or hereafter appropriated and shall not exceed actual expenditures made by the Muskingum Watershed Conservancy District that are deemed reasonable by the Secretary of War and the Chief of Engineers nor include any expenditures for the relocation of highways nor any funds provided by the State of Ohio nor by any State or Federal agency other than the Muskingum Watershed Conservancy District: *Provided further*, That the Secretary of War is authorized to pay to said district forthwith on the passage of this Act, the sum of \$1,500,000, on verification of the fact that reimbursable expenditures in such amount have been made by the district, and on the agreement of the district, duly certified to the Secretary of War, that it will proceed immediately to convey and transfer any assets acquired through such expenditures not already conveyed, but such payment may be made prior to the actual transfer of title to lands, easements, rights-of-way, and other property: *And provided further*, That the Muskingum Watershed Conservancy District is hereby relieved of any obligation to maintain and operate the dams.

SEC. 5. Section 2 of Public Law Numbered 761, Seventy-fifth Congress, is hereby amended by adding the following: "*Provided further*, That in all cases of the acquisition hereunder by the United States from the Los Angeles County Flood Control District or the Muskingum Watershed Conservancy District of lands, easements, or rights-of-way, wherein the written opinion of the Attorney General in favor of the validity of the title to such lands, easements, or rights-of-way is or may be required or authorized by law, the Attorney General may, in his discretion, base such opinion upon a certificate of title of the district from which said lands, easements, or rights-of-way are to be acquired accompanied by an agreement, duly executed by the district in conformity with the constitutions and laws of the State where the district in question is situated to indemnify the United States against all claims, liabilities, loss, expenses, and attorneys' fees of whatsoever kind or nature, resulting from or arising out of any defect or defects whatsoever in the title to any such lands, easements, or rights-of-way so conveyed to the United States, including all just compensation, costs, and expenses which may be incurred in any condemnation proceeding deemed necessary and instituted by the United States in order to perfect title to any such lands, easements, or rights-of-way."

SEC. 6. The Secretary of War is hereby authorized and directed to cause to be performed under the supervision of the Chief of Engineers preliminary examinations and surveys for flood control, including floods aggravated by or due to tidal effect, at the following-named localities, and the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and water-flow retardation and soil-erosion prevention on the watersheds of such localities; the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That the surveys authorized to be performed under the direction

Inclusion of Muskingum River Valley Dams, etc.

Provisos.
Reimbursements; sums included.

Restriction.

Conditional payment to district.

District relieved of obligation to operate dams.

52 Stat. 1215.
33 U. S. C., Supp. IV, § 701c (note).
Validity of title to lands, easements, etc., acquired.

Basis of opinion.

Preliminary flood-control examinations, etc.

Surveys for soil-erosion prevention.

Provisos.
Supervision.

Authority of Federal Power Commission not impaired.
52 Stat. 1215.
33 U. S. C., Supp. IV, ch. 15.
Surveys limited to works designated.

Supplemental reports restricted.

Adoption of project by law, requirement.

Connecticut River, Mass.

Green River, Mass.
Bellows Pond and Canada Lake drainage area, N. Y.
Owasco Inlet, etc., and tributaries, N. Y.

Mohawk River, N. Y.
Delaware River, Morrisville, Pa.

Neshaminy Creek, Bucks Co., Pa.
Pequest River and tributaries, N. J.

Lumber River and tributaries, N. C. and S. C.
Kissimmee River, Fla.

Black River, La.
Purdy Reservoir on Rush Creek, Okla.
Dirty Creek, Okla.
Mangum-Salt Fork, Okla.
Fairfax-Kaw City, Okla.
Leaf and Bowie Rivers, Miss.
Hobolochito River, Miss.

Hatchie River, Miss. and Tenn.
North Fork, Clinch River, Va. and Tenn.
Auglaize, etc., Rivers, Ohio.

Whiteoak and Straight Creeks, Ohio.
Portage River, Ohio.
Kentucky River, Ky.
Wabash River and tributaries, Ind. and Ill.
Mississinewa River and tributaries, Ind.
Plum River, Ill.
Illinois River and tributaries, Ill.

Edwards River, Ill.

of the Secretary of War as well as all duties performed by the Chief of Engineers under the direction of the Secretary of War shall be functions of the Engineer Corps, United States Army, and its head, to be administered under the direction of the Secretary of War and the supervision of the Chief of Engineers except as otherwise specifically provided by Congress: *Provided*, That the power and authority conferred by the Flood Control Act of June 28, 1938, and previously conferred, upon the Federal Power Commission shall remain in full force and effect: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior Act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed, are submitted, no supplemental or additional report or estimate shall be made unless authorized by law: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this Act until the project for the proposed work shall have been adopted by law:

Connecticut River in the State of Massachusetts, between the Hatfield town line above Coolidge Bridge and the Narrows at Mount Tom.

Green River, Massachusetts.

Bellows Pond and Canada Lake drainage area, Fulton County, New York.

Owasco Inlet, Owasco Outlet, and their tributaries, Cayuga and Tompkins Counties, New York; Crane Brook, Jericho Brook, and Cold Spring Brook in Cayuga County, New York.

Mohawk River, New York.

Delaware River and its tributaries at, and in the vicinity of, Morrisville, Bucks County, Pennsylvania.

Neshaminy Creek, Bucks County, Pennsylvania.

Pequest River and its tributaries in Warren and Sussex Counties, New Jersey.

Lumber River and its tributaries, North Carolina and South Carolina.

Kissimmee River, Florida, including regulation and stabilization of water levels.

Black River, Catahoula and Concordia Parishes, Louisiana.

Purdy Reservoir on Rush Creek, Oklahoma.

Dirty Creek, Muskogee County, Oklahoma.

Mangum-Salt Fork, Greer County, Oklahoma.

Fairfax-Kaw City, Osage County, Oklahoma.

Leaf and Bowie Rivers and their tributaries, Mississippi.

Hobolochito River, Mississippi.

Hatchie River and tributaries, Mississippi and Tennessee.

North Fork of the Clinch River, Virginia and Tennessee.

Auglaize, Blanchard and Ottawa Rivers and their tributaries, Ohio.

Whiteoak and Straight Creeks, Ohio.

Portage River and its tributaries, with particular reference to the Middle Branch, in Ohio.

Kentucky River and its tributaries, Kentucky.

Wabash River and its tributaries, Indiana and Illinois.

Mississinewa River and its tributaries, Indiana.

Plum River and its tributaries, Carroll County, Illinois.

Illinois River and its tributaries, including both creeks having the name "Crow", Gimlet Creek, Farm Creek, and Ten Mile Creek, in Illinois.

Edwards River, Illinois.

Knife River and its tributaries, North Dakota.
 Goose River and its tributaries, North Dakota.
 South Platte River and its tributaries, Colorado, Wyoming, and Nebraska.

Neskowin Creek, Oregon.

Skokomish River, Mason County, Washington.

Skykomish River, Washington.

Waimea, Hanapepe, Wailua, and Hanalei Rivers and their tributaries and Kapaa Swamp on the island of Kauai, Territory of Hawaii.

Anahulu River and other streams and tributaries in the Waialua District and the Kawainui Swamp in the Kailua District, island of Oahu, Territory of Hawaii.

Coamo, La Plata, Patillas, Anasco, Toro Negro, and Toa Vaca Rivers and their tributaries on the island of Puerto Rico.

Wailoa Stream and its tributaries on the island of Hawaii, Territory of Hawaii.

SEC. 7. That the Alamogordo Dam and Reservoir on the Pecos River, New Mexico, is hereby authorized and declared to be for the purposes of controlling floods, regulating the flow of the Pecos River, providing for storage and for delivery of stored waters, for the reclamation of lands, and other beneficial uses, and said dam and reservoir shall be used, first, for irrigation; second, for flood control and river regulation; and third, for other purposes. The Chief of Engineers and the Secretary of War are directed to report to the Congress the amount of the total cost of said Alamogordo Dam and Reservoir which is properly allocable to flood control. The appropriation and transfer of such amount from the general fund of the Treasury to the reclamation fund, for credit by reduction of the maximum obligation of the Carlsbad Irrigation District to repay the total cost thereof, is hereby authorized.

SEC. 8. In the case of any local flood-protection work in the Ohio River Basin authorized to be prosecuted by the provisions of section 4 of the Act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 28, 1938, the President is authorized to waive the requirements of section 3 of the Flood Control Act, approved June 22, 1936, with respect to local cooperation to the extent of not to exceed 50 per centum of the estimated cost of the lands, easements, and rights-of-way required for such work, if he finds, after investigation, that the city or town to be benefited by such work is, by reason of its financial condition, unable to comply with the requirements of such section 3 with respect to local cooperation.

Approved, August 11, 1939.

[CHAPTER 700]

JOINT RESOLUTION

Authorizing the delegation of certain authority within the Department of Agriculture.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture may designate in writing the Director of Finance of the Department of Agriculture or, in his absence, the officer acting in his stead, to sign requisitions upon the Secretary of the Treasury for disbursing funds, and such requisitions shall be as valid as if they had been signed by the Secretary of Agriculture.

Approved, August 11, 1939.

Knife River and tributaries, N. Dak.
 Goose River and tributaries, N. Dak.
 South Platte River and tributaries, Colo., Wyo., and Nebr.
 Neskowin Creek, Oreg.
 Skokomish River, Mason Co., Wash.
 Skykomish River, Wash.
 Waimea, etc., Rivers, T. H.

Anahulu River, etc., T. H.

Coamo, etc., Rivers, P. R.

Wailoa Stream and tributaries, T. H.

Alamogordo Dam and Reservoir, Pecos River, N. Mex., purposes declared.

Report to Congress.

Transfer of funds authorized.

Ohio River Basin, local flood-protection work; local cooperation requirements.

52 Stat. 1217.

49 Stat. 1571.

33 U. S. C., Supp. IV, § 701c.

August 11, 1939

[H. J. Res. 188]

[Pub. Res., No. 51]

Department of Agriculture.
 Delegation of certain authority within, authorized.