

Act of APRIL 17, 1926

[Act of April 17, 1926, as Amended; Chapter 158]

[As Amended Through Chapter 498, Enacted July 16, 1932]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That [30 U.S.C. 271] the Secretary of the Interior is hereby authorized and directed, under such rules and regulations as he may prescribe, to grant to any qualified applicant a prospecting permit which shall give the exclusive right to prospect for sulphur in lands belonging to the United States located in the States of Louisiana and New Mexico for a period of not exceeding two years: *Provided*, That the area to be included in such a permit shall be not exceeding six hundred and forty acres of land in reasonably compact form.

SEC. 2. [30 U.S.C. 272] Upon showing to the satisfaction of the Secretary of the Interior that valuable deposits of sulphur have been discovered by the permittee within the area covered by his permit, and that the land is chiefly valuable therefor, the permittee shall be entitled to a lease for any or all of the land embraced in the prospecting permit, at a royalty of 5 per centum of the quantity of gross value of the output of sulphur at the point of shipment to market, such lease to be taken in compact form by legal subdivisions of the public-land surveys; or if the land be not surveyed, by survey executed at the cost of the permittee in accordance with regulations prescribed by the Secretary of the Interior: *Provided*, That where any person having been granted an oil and gas permit makes a discovery of sulphur in lands covered by said permit, he shall have the same privilege of leasing not to exceed six hundred and forty acres of said land under the same terms and conditions as are given a sulphur permittee under the provisions of this section.

SEC. 3. [30 U.S.C. 273] Lands known to contain valuable deposits of sulphur and not covered by permits or leases shall be held subject to lease by the Secretary of the Interior through advertisement, competitive bidding, or such other methods as he may by general regulations adopt and in such areas as he shall fix, not exceeding six hundred and forty acres; all leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease and the payment in advanced of a rental of 50 cents per acre per annum, the rental paid for any one year to be credited against the royalties accruing for that year.

SEC. 4. [30 U.S.C. 274] Prospecting permits or leases may be issued in the discretion of the Secretary of the Interior under the provisions of this Act for deposits of sulphur in public lands also containing coal or other minerals on condition that such other de-

posits be reserved to the United States for disposal under applicable laws.

SEC. 5. [30 U.S.C. 275] The general provisions of section 1 and sections 26 to 38, inclusive, of the Act of February 25, 1920, entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," are made applicable to permits and leases under this Act, the first and thirty-seventh sections thereof being amended to include deposits of sulphur, and section 27 being amended so as to prohibit any person, association, or corporation from taking or holding more than three sulphur permits or leases in any one State during the life of such permits or leases.

SEC. 6. [30 U.S.C. 276] The provisions of this Act shall apply only to the States of Louisiana and New Mexico.