

Vol. 24, p. 84.

seven, township ten south, range twenty-five east, in Wyandotte County, in the State of Kansas, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March twenty-third, nineteen hundred and six.

Amendment.

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

Approved, February 4, 1909.

February 4, 1909.

[H. R. 4836.]

[Public, No. 210.]

CHAP. 70.—An Act Granting to the Norfolk County Water Company the right to lay and maintain a water main through the military reservation on Willoughby Spit, Norfolk County, Virginia.

Willoughby Spit,
Va.
Norfolk County
Water Company may
operate, etc., water
main through mili-
tary reservation on.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Norfolk County Water Company be, and it is hereby, granted the license and privilege to maintain and operate its water main, which has heretofore been constructed under a license granted by the Secretary of War on the twenty-third of March, nineteen hundred and seven, across the military reservation of the United States on Willoughby Spit, in the county of Norfolk, Virginia, upon the following conditions, namely:

Removal of pipes.

First. That the said Norfolk County Water Company, its successors or assigns, shall remove its pipes, at its own expense, from said reservation within sixty days after receiving notice from the Secretary of War that the War Department requires the premises so occupied for the purposes of the United States; and upon the failure, neglect, or inability of said company, its successors or assigns, so to do, the same shall become the property of the United States and the United States may then cause the same to be removed at said company's expense, and no claim for damages against the United States, or any officer or agent thereof, shall be created by or made on account of such removal.

Forfeiture.

Damages.

Location of pipes
restricted.

Second. That the said company shall confine the route of its pipes to the location heretofore named under the license granted by the Secretary of War.

Taxes.

Third. That the Norfolk County Water Company shall pay all taxes assessed against the said pipe line laid and maintained hereunder.

Repairs to premises.

Fourth. That any sum which may have to be expended after the revocation of this license, as heretofore provided, in putting the premises or property hereby authorized to be occupied or used in as good condition for use by the United States as it is at the date of the granting of the said license, shall be repaid by the said company on demand.

Annual rental.

Fifth. That said company shall pay such reasonable annual rental as may be fixed from time to time by the Secretary of War.

Water rates to Gov-
ernment.

Sixth. That the said company shall furnish water to the United States, if the latter at any time so desires, at rates as favorable as those accorded to private consumers.

Supervision, etc.

Seventh. That all work incident to this license shall be subject to the supervision and approval of the officer of the United States Army in charge of said reservation.

Regulations.

Eighth. That the occupation of said reservation incident hereto shall be subject to such rules and regulations in the interest of good order, police, sanitation, and discipline as said officer may from time to time prescribe.

Approved, February 4, 1909.

CHAP. 75.—An Act Authorizing the extension of New York avenue from its present terminus near Fourth street northeast to the Bladensburg road.

February 6, 1909.

[H. R. 17297.]

[Public, No. 211.]

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 ninety days after the passage of this Act, the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute a proceeding in rem to condemn the land that may be necessary for the extension of New York avenue from its present eastern terminus near Fourth street northeast to the proposed line of Montana avenue, and from Montana avenue to the Bladensburg road, upon such lines as the Commissioners may deem best for the public interests, with a width of one hundred and thirty feet: *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 shall be assessed by the jury as benefits: *And provided further,* That nothing in said subchapter one of chapter fifteen of said Code shall be construed to authorize the jury to assess less than the aggregate amount of the damages awarded for and in respect of the land to be condemned and the costs and expenses of the proceeding hereunder.

District of Columbia.
New York avenue

NE
Condemning land
for extending to
Bladensburg road.
Vol. 34, p. 151.

Proviso.
Damages assessed as
benefits.

Restriction.

Appropriation for
expenses, etc.

Repayment.

SEC. 2. That there is hereby authorized to be expended from the revenues of the District of Columbia an amount sufficient to pay the necessary costs and expenses of the condemnation proceedings taken pursuant hereto and for the payment of 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.

Approved, February 6, 1909.

CHAP. 76.—An Act Authorizing the Secretary of the Interior to sell isolated tracts of land within the Nez Perces Indian Reservation.

February 6, 1909.

[H. R. 19095.]

[Public, No. 212.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the law providing for the sale of any isolated or disconnected tract or parcel of the public domain is hereby extended and made applicable to any isolated and unappropriated public lands embraced within the Nez Perces Indian Reservation: *Provided,* That for agricultural lands purchasers under this Act shall pay not less than three dollars and seventy-five cents per acre, and for lands valuable for stone and timber they shall pay not less than five dollars per acre.

Nez Perces Indian
Reservation.
Sale of isolated
tracts of, authorized.

Proviso.
Price per acre.

Approved, February 6, 1909.

CHAP. 77.—An Act Authorizing the creation of a land district in the State of South Dakota, to be known as the Bellefourche land district.

February 6, 1909.

[H. R. 26052.]

[Public, No. 213.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the State of South Dakota lying within the following described boundaries, to wit: Commencing at a point where the township line between townships eighteen and nineteen north intersects the boundary line between the States of South Dakota and Montana; thence east on the said township line to the northeast corner of township eighteen north, of range nine east; thence south along the range line between ranges nine and ten to a point where the same intersects the third standard parallel north; thence east on said third standard parallel north to the

South Dakota.
Bellefourche land
district established.
Description.