

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.

Register and receiver.
Appointment.

Compensation, etc.

northeast corner of township twelve north, range eleven east; thence south along the range line between ranges eleven and twelve to where the same intersects the township line between townships six and seven north; thence west on said township line between townships six and seven to a point where the same intersects the boundary line between the States of South Dakota and Wyoming; thence north on the boundary line between the States of South Dakota and Wyoming and Montana to the point of beginning, be, and the same hereby is, constituted a new land district, to be known as the Bellefourche land district; and the United States land office for said district is hereby located at the town of Bellefourche, in Butte County. That the President be, and he hereby is, authorized to appoint, by and with the advice and consent of the Senate, a register and a receiver for said land district, and they shall be subject to the same laws and be entitled to the same compensation as is or may be hereafter provided by law in relation to the existing land offices and officers in said State.

Approved, February 6, 1909.

February 6, 1909.
[S. 6418.]

[Public, No. 214.]

Cordova Bay,
Alaska.
Cordova Bay Harbor and Improvement and Town-Site Company may purchase land at head of.

Price per acre.
Limit.

Location.

Purpose.

Proviso.
Land withdrawn from entry, etc.

Prior rights protected.

Land reserved for dock, etc., purposes.

Proviso.
Plans.

CHAP. 78.—An Act Authorizing the sale of lands at the head of Cordova Bay, in the Territory of Alaska, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a corporation to be hereafter duly organized under the name and style of the Cordova Bay Harbor Improvement and Town-Site Company and composed of the following-named persons, to wit: John H. McGraw, Edward Lewin, and Donald A. McKenzie, or any of them, and such others as may hereafter become associated with them as incorporators, shall be permitted to purchase at the price of two dollars and fifty cents per acre not to exceed two thousand acres of such nonmineral lands of the United States as may be selected by said corporation and approved by the Secretary of the Interior, including tide or mud flats, situated at the head of Cordova Bay, at approximately latitude sixty degrees and thirty minutes north, and longitude one hundred and forty-six west of Greenwich, in the district of Alaska, the same to be located in as nearly compact form as possible with a front of not to exceed two miles on the wharfage and dock area to be reserved by the Secretary of War as provided in section three of this Act, in order to effect the improvement of said lands for town-site purposes and for the promotion and convenience of commerce with foreign nations and among the several States: *Provided, however,* That the Secretary of the Interior is hereby authorized and directed to withdraw from all forms of location or entry not to exceed three thousand acres to be selected by him and surrounding the land hereby made purchasable, subject to future disposition by the Congress.

SEC. 2. That no land covered by any valid existing claim or right heretofore initiated or recognized under any law of the United States shall be subject to purchase under this Act until all rights thereunder have been transferred to said corporation or relinquished to the United States.

SEC. 3. That the Secretary of War, as soon as practicable after the passage of this Act, shall establish a wharfage and dock area extending along the entire water front of the land proposed to be bought by said corporation and one thousand feet in width, thereby fixing the seaward line of said wharfage and dock area, and the area thus established is hereby reserved and shall remain under the control of the United States, in trust, however, for the future State which may be created, including the same or any part thereof within its boundaries: *Provided,* That wharves, docks, slips, and waterways may be constructed and maintained within such wharfage and dock area in accordance with plans approved and terms and conditions prescribed from time to time by