

**CHAP. 217.**—An Act Providing for the raising of the United States battle ship Maine, in Habana Harbor, and to provide for the interment of the bodies therein.

May 9, 1910.  
[H. R. 23012.]

[Public, No. 169.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War and the Chief of Engineers are hereby authorized and directed to provide with all convenient speed for the raising or the removal of the wreck of the United States battle ship Maine from the harbor of Habana, Cuba, and for the proper interment of the bodies therein, in Arlington Cemetery; and the Secretary of War is authorized and directed to remove the mast of the wreck of said battle ship Maine and place the same upon a proper foundation in Arlington National Cemetery at or near the spot where the bodies of those who died through such wreck are interred: *Provided, however,* That the consent in proper form of the Republic of Cuba shall be first obtained. The sum of one hundred thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, on account of the work herein authorized.

Battle ship "Maine."  
Wreck to be removed from Habana Harbor.  
Interment of bodies, etc.

*Proviso.*  
Consent from Cuba.  
Appropriation.  
*Post,* pp. 789, 1407.

Approved, May 9, 1910.

**CHAP. 225.**—An Act To authorize the opening of a road along the Anacostia River in the District of Columbia.

May 10, 1910.  
[H. R. 19038.]

[Public, No. 170.]

*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 an Act entitled "An Act to amend an Act entitled 'An Act to establish a Code of Law for the District of Columbia,' regulating proceedings for condemnation of land for streets," approved April thirtieth, nineteen hundred and six, known as subchapter one of chapter fifteen of the Code of Law of the District of Columbia, except section four hundred and ninety-one g of said subchapter, which section shall not be applicable to 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 and acquire the fee simple and absolute title, including all riparian rights and all other rights pertaining thereto, to a strip of land for a public highway and for park purposes along the Anacostia River and bounded by said river, from Monroe street extended to the right of way of the outfall sewer at and near Poplar Point and from the southwest corner of the grounds of the Government Hospital for the Insane along said Anacostia River to Giesboro Point, near the western terminus of Memphis street, as shown on the permanent system of highway plans for the District of Columbia. The northern and western boundary of said strip of land shall be coincident with the high-water line of the said Anacostia River, and the southern and eastern boundary of the said strip of land shall be not more than one hundred and sixty feet therefrom: *Provided,* That of the amount found due and awarded as damages for and in respect of the land condemned under this Act for the said public highway and park not less than one-half thereof, together with all the costs and expenses of the proceeding or proceedings taken pursuant hereto, shall be assessed as benefits by the jury in said proceeding against the lots, pieces, or parcels of ground lying on the side or sides of the extension of the said public highway and park and also on all or any adjacent pieces or parcels of land which will be benefited by the said public highway and park as herein provided: *And provided further,* That the sums to be assessed against each lot, piece, or parcel of ground shall be determined and designated by the jury, and in determining what amount shall be assessed against any particular lot, piece,

District of Columbia.  
Road along Anacostia River.  
Condemning land for.  
Vol. 34, pp. 151, 930.

Location.

*Provisos.*  
One-half of damages assessed as benefits.

Determination of benefits.

or parcel of ground the jury shall take into consideration the situation of the said lot, piece, or parcel of ground and the benefits they may severally receive from the opening of the said public highway and park.

Appropriation for  
benefits, etc.

SEC. 2. That there is hereby appropriated out of the revenues of the District of Columbia an amount sufficient to pay the costs and expenses of the condemnation proceedings taken pursuant hereto and for the payment of amounts awarded as damages, one-half of the said amount 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.

Repayment.

Approved, May 10, 1910.

May 11, 1910.  
[S. 2777.]

[Public, No. 171.]

CHAP. 226.—An Act To establish "The Glacier National Park" in the Rocky Mountains south of the international boundary line, in the State of Montana, and for other purposes.

The Glacier Na-  
tional Park, Mont.  
Land set apart as  
Description.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of land in the State of Montana particularly described by metes and bounds as follows, to wit: Commencing at a point on the international boundary between the United States and the Dominion of Canada at the middle of the Flathead River; thence following southerly along and with the middle of the Flathead River to its confluence with the Middle Fork of the Flathead River; thence following the north bank of said Middle Fork of the Flathead River to where it is crossed by the north boundary of the right of way of the Great Northern Railroad; thence following the said right of way to where it intersects the west boundary of the Blackfeet Indian Reservation; thence northerly along said west boundary to its intersection with the international boundary; thence along said international boundary to the place of beginning, is hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States, and dedicated and set apart as a public park or pleasure ground for the benefit and enjoyment of the people of the United States under the name of "The Glacier National Park;" and all persons who shall locate or settle upon or occupy the same, or any part thereof, except as hereinafter provided, shall be considered trespassers and removed therefrom: *Provided, That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States or the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land: Provided further, That rights of way through the valleys of the North and Middle forks of the Flathead River for steam or electric railways may be acquired within said Glacier National Park under filings or proceedings heretofore or hereafter made or instituted under the laws applicable to the acquisition of such rights over or upon the unappropriated public domain of the United States, and that the United States Reclamation Service may enter upon and utilize for fowage or other purposes any area within said park which may be necessary for the development and maintenance of a government reclamation project: And provided further, That no lands within the limits of said park hereby created belonging to or claimed by any railroad or other corporation now having or claiming the right of indemnity selection by virtue of any law or contract whatsoever shall be used as a basis for indemnity selection in any State or Territory whatsoever for any loss sustained by reason of the creation of said park.**

Removal of tres-  
passers.

Provisos.  
Valid rights not  
affected.

Rights of way for  
railways.

Reclamation proj-  
ects.

No indemnity selec-  
tions allowed corpora-  
tions.

Regulations for pro-  
tection, etc.

SEC. 2. That said park shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be, as soon as practicable, to make and publish such rules and regulations not inconsistent

with the laws of the United States as he may deem necessary or proper for the care, protection, management, and improvement of the same, which regulations shall provide for the preservation of the park in a state of nature so far as is consistent with the purposes of this Act, and for the care and protection of the fish and game within the boundaries thereof. Said Secretary may, in his discretion, execute leases to parcels of ground not exceeding ten acres in extent at any one place to any one person or company, for not to exceed twenty years, when such ground is necessary for the erection of buildings for the accommodation of visitors, and to parcels of ground not exceeding one acre in extent and for not to exceed twenty years to persons who have heretofore erected or whom he may hereafter authorize to erect summer homes or cottages; he may also sell and permit the removal of such matured, or dead or down timber as he may deem necessary or advisable for the protection or improvement of the park.

Approved, May 11, 1910.

Leases for hotels, etc.

Removal of dead, etc., timber.

**CHAP. 227.**—An Act To authorize the Secretary of the Interior to dispose of a fractional tract of land in the Lawton (Oklahoma) land district at appraised value.

May 11, 1910.  
[H. R. 23422.]

[Public, No. 172.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized and directed to cause an appraisement and sale to be made to the city of Lawton, Oklahoma, at the appraised value of one certain fractional tract of land described as follows: Beginning at a point two hundred and seventy feet east and four hundred and fourteen feet south of the four section corners between sections nineteen, twenty, twenty-nine, and thirty, respectively, in township two north, range eleven west, Comanche County, Oklahoma; thence southeasterly four thousand nine hundred and ninety feet along the west boundary line of the Saint Louis and San Francisco Railway Company right of way to a point where said west boundary line of said railway crosses the south boundary line of the southwest quarter of section twenty-nine, township two north, range eleven west, Indian meridian, Comanche County, Oklahoma; thence westerly one thousand four hundred and fifty-one feet along the south boundary line of said southwest quarter section twenty-nine, township two north, range eleven west, Indian meridian, to a point where the east line of the Chicago, Rock Island and Pacific Railway right of way crosses the south boundary line of the said quarter section; thence northeasterly four thousand eight hundred and fifty and sixty-five one-hundredths feet along the east boundary line of the Chicago, Rock Island and Pacific Railway right of way to the place of beginning, consisting of seventy-five and thirty-eight hundredths acres of land, more or less, situated in Comanche County, Oklahoma: *Provided,* That the land shall be appraised at its agricultural value exclusive of any additional value by reason of wells, tanks, pumps, vats, and other expenditures and improvements made or erected by the said city of Lawton, Oklahoma, in their use of said tract as an auxiliary water-pumping station: *Provided further,* That the city of Lawton shall have six months from date of appraisement to purchase said tract.

Public lands.  
Sale to Lawton,  
Okla.

Description.

Provisos,  
Appraisal.

Option for purchase.

Approved, May 11, 1910.

**CHAP. 230.**—An Act Making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes.

May 12, 1910.  
[H. R. 21419.]

[Public, No. 173.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and they are hereby, appropriated for the service of the Post-Office

Postal service appro-  
priations.