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August 1, 1894.

[No. 40.] Joint Resolution To establish an observatory circle as a provision for guarding the delicate astronomical instruments at the United States Naval Observatory against smoke or currents of heated air in their neighborhood and undue vibrations from traffic upon the extension of public thoroughfares in the vicinity, and for other purposes.

Preamble.

Whereas in order to insure within practicable limits the success of astronomical observations, it is of the highest importance that the delicate instruments employed in that work be guarded against smoke or currents of heated air in their neighborhood, and also against undue vibrations from traffic upon public thoroughfares, all of which can only be attained by controlling a reasonable area of ground in the immediate vicinity of the buildings wherein the said instruments are mounted; and

Whereas from experiments it has been ascertained that a circle described with a radius of one thousand feet from a central point of the said buildings is the least inclosure that will accomplish such desired protection: Therefore,

Naval Observatory. No street, etc., within 1,000 feet of clock room.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That no street, avenue, or public thoroughfare in the neighborhood of the buildings erected upon the United States Naval Observatory grounds, Georgetown Heights, District of Columbia, shall extend within the area of a circle described with a radius of one thousand feet from the center of the building known as the clock room of the said Observatory.

Massachusetts avenue. Right of way through grounds.

SEC. 2. That the Secretary of the Navy be, and is hereby, authorized to grant the right of way for the extension of Massachusetts avenue though the limits of the said Observatory grounds exterior to said circle in accordance with the foregoing proviso, and that Massachusetts avenue, as laid down in conformity with that proviso upon the maps of the engineer department of the District of Columbia, through the grounds of the United States Naval Observatory be, and the same hereby is, declared to be a public street in all respects as the other public streets of the District of Columbia.

Sale of lands outside of limits.

SEC. 3. That the Secretary of the Navy be, and is hereby, authorized to sell and convey two plats of ground contiguous to the said Massachusetts avenue extended, and situated without the hereinbefore described circle, but within the limits of the said Observatory site, the ground in said plats amounting to fourteen and thirty-one one-hundredths acres, more or less, on the north and east, and one and eighteen one-hundredths acres, more or less, on the south and west of the said Massachusetts avenue extended.

Mode of sale.

SEC. 4. That the Secretary of the Navy be, and is hereby, authorized to sell the aforesaid described plats by advertisement or, at his discretion, in such manner as will best serve the interests of the Government.

Purchase of land within limits.

SEC. 5. That the Secretary of the Navy be, and hereby is, authorized to acquire, by purchase, legal title to the several plats of ground, not now belonging to the United States, that are situated within the hereinbefore described circle, amounting to nineteen and twenty-seven one-hundredths acres, more or less, being parts of lands adjoining the present said Observatory site, and comprised in the following portions of land as generally known, namely: Plat east, Normanstone, one and seventy-eight one-hundredths acres, more or less; plat west, Robert Weaver, eight and twenty-five one-hundredths acres, more or less; plat west, Barnes, thirty-eight one-hundredths acre, more or less; plat west, Young, sixty-seven one-hundredths acre, more or less; plat west, Barbour, thirty-two one-hundredths acre, more or less; plats north and west, Dunbarton, seven and eighty-seven one-hundredths acres, more or less.

Added to Observatory grounds.

SEC. 6. That said plats of land, when acquired by purchase, hereinbefore described, shall form a part of the said Naval Observatory grounds.

Board of appraisers.

SEC. 7. That the Secretary of the Navy is hereby authorized to appoint a board of three appraisers to determine and fix the price at which the said public land, or any part thereof, shall be sold, and to determine the value of the parcels of private property to be purchased.

Appraisement.

SEC. 8. That within sixty days from their appointment the said appraisers, or a majority thereof, shall report in writing to the Secretary of the Navy, first, the estimated value agreed upon by them of the two plats of land hereinbefore described for sale and conveyance; second, they shall cause a careful map to be made of the said Observatory circle, showing the location, quantity, and character of each parcel of hereinbefore described property to be taken to complete the said circle, with the names of the respective owners inscribed thereon; and the said map shall be filed and recorded in the public records of the District of Columbia, and from and after that date the several tracts and parcels of land, not hereinbefore public property and embraced in said Observatory circle, shall be held as condemned for public uses, subject to payment of just compensation, to be determined by said appraisers and approved by the Secretary of the Navy: *Provided*, That such compensation be accepted by the owner or owners of the several parcels of land.

Condemnation.

Proviso.
Acceptance by owners.

Application to supreme court, D. C., for assessment of value, etc.

SEC. 9. That if the Secretary of the Navy shall be unable to purchase any portion of the land so condemned within thirty days after such condemnation, by agreement with the respective owners, at the price determined by the said appraisers, and approved as before mentioned, the said appraisers shall, at the expiration of such period of thirty days, make application to the supreme court of the District of Columbia, by petition, at a general or special term, for an assessment of value of such land, and such petition shall contain a particular description of the property condemned, with the name of the owner or owners thereof, and his, her, or their residence, as far as the same may be ascertained, together with a copy of the recorded map of the said Observatory circle, and the said court is hereby authorized and required, upon such application, without delay, to notify the owners and occupants of the land, and to ascertain and assess the value of the land so condemned, by appointing three commissioners to appraise the value or values thereof, and to return the appraisement to the court; and when the values of the land are thus ascertained and the Secretary of the Navy shall deem the same reasonable, said values shall be paid to the owner or owners, and the United States shall be deemed to have a valid title to said lands.

Payment.

Surveys.

SEC. 10. That the said appraisers are hereby authorized to call upon the Superintendent of the Coast and Geodetic Survey to make such surveys as may be necessary to carry into effect the provisions of this Act, and the said Superintendent is authorized and required to make such surveys under the direction of the said commissioners.

Proceeds of sale.

SEC. 11. That the Secretary of the Navy, after deducting the expenses of appraisal and condemnation, shall pay into the Treasury of the United States the net amount received from the sale of any portion of the United States Naval Observatory site, the same to remain there, subject to the draft of the Secretary of the Navy, for purchasing the additional lands within the hereinbefore described circle and for improvements to the said Naval Observatory grounds.

Approved, August 1, 1894.

August 6, 1894.

[No. 42.] Joint Resolution Authorizing proper officers of the Treasury Department to examine and certify claims in favor of certain counties in Arizona.

Arizona.
Indian expenses incurred by counties.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the First Auditor and the First Comptroller of the Treasury be, and they are hereby, authorized to examine all claims which may be presented in proper form by the different