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quarter of section thirty, township seven south, of range nine west, and all of section twenty-four, township seven south, of range ten west, lying south of Back Bay of Biloxi, formerly reserved for naval purposes, and which were restored to disposition under the town-site laws under the Act of Congress approved March second, eighteen hundred and ninety-five, entitled "An Act to authorize the Secretary of the Navy to certify to the Secretary of the Interior, for restoration to the public domain, lands in the States of Alabama and Mississippi not needed for naval purposes," be, and the same is hereby, granted to the city of Biloxi, in Harrison County, Mississippi, for park and cemetery purposes, and the Secretary of the Interior is, upon the passage of this Act, authorized to cause the said lands to be patented to the said city of Biloxi, upon due proof of its incorporation.

Vol. 28, p. 814.

Reversion.

SEC. 2. That the said lands are granted solely for park and cemetery purposes, and shall revert to and become the property of the United States if used for any purpose whatever other than or foreign to those for which this donation is made.

Approved, April 28, 1906.

April 28, 1906.
[H. R. 17135.]

[Public, No. 134.]

CHAP. 2068.—An Act Providing that the State of Montana be permitted to relinquish to the United States certain lands heretofore selected and select other lands from the public domain in lieu thereof.

Public lands.
Montana may select lands in lieu of lands reconveyed to the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the delivery to the Secretary of the Interior by the State of Montana of its properly executed and duly recorded deed or deeds reconveying to the United States of America, in fee simple, certain lands heretofore selected by and certified to said State under the provisions of an Act entitled, "An Act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington, to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States, and to make donation of public land to such States," approved February twenty-second, eighteen hundred and eighty-nine, to wit: All of section thirty-one in township thirteen south of range one west, the south half of the southwest quarter, the south half of the southeast quarter of section twenty-six; the south half of the southwest quarter, the south half of the southeast quarter of section twenty-seven; the south half of the southwest quarter, the south half of the southeast quarter of section twenty-eight; the south half of the southeast quarter of section twenty-nine; the west half of section thirty-one; the northeast quarter, the northwest quarter of the southwest quarter, the northwest quarter of the southeast quarter of section thirty-two; the north half and lots two, three, and four of section thirty-three; the north half and lots two and three of section thirty-four; the north half of section thirty-five, in township thirteen south of range two west; the southeast quarter of section twenty-six and east half of section thirty-five, in township thirteen south of range three west; the south half of the northwest quarter and lots three, four, ten, and eleven of section one; lot ten of section two; lots one and two of section eleven; north half of the northwest quarter of section twelve, in township fourteen south of range three west, principal meridian of Montana; the lands so described having been selected as indemnity school land and the selection thereof having been approved by the Secretary of the Interior under dates of January second, January ninth, February fifth, and April eighteenth, nineteen hundred and one. The said State shall be authorized and permitted to select an equal number of acres of land from the unappropriated public land of the United

Vol. 25, p. 679.

Description of reconveyed lands.

States in said State, in the same manner, for the same purpose, and subject to the same limitations and conditions under which the land so reconveyed was selected and held.

Red Rock Lakes Reservoir site.
Rights of owners, etc., of lands within.

SEC. 2. That subject to rules and regulations to be prescribed by the Secretary of the Interior, the owner in fee simple or a claimant under any general or special law of the United States, of any land included within the limits of the Red Rock Lakes Reservoir site in the State of Montana, as the said reservoir is now or may hereafter be approved by the Secretary of the Interior, the lands described in the preceding section being a part of said reservoir site, may at the option of the owner or claimant, relinquish or convey such land included in said reservoir site to the United States and personally select in lieu thereof an equal area of the nontimbered public lands of the United States subject to homestead entry and situated in the State of Montana, and such owner or claimant shall be placed in the same relation as to the United States, to the title, possession, and right of possession of the lieu land thus selected as such owner or claimant sustained to the land relinquished at the time the relinquishment was made.

Lands restored to public domain.

SEC. 3. That the land so reconveyed shall be restored to and become a part of the public domain and be subject to disposal by the Government in the same manner in which other public lands of a like character are disposed of.

Approved, April 28, 1906.

April 30, 1906.
[H. R. 17217.]
[Public, No. 135.]

CHAP. 2070.—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.

District of Columbia. Code amendment. Vol. 31, p. 1266, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress entitled "An Act to establish a code of law for the District of Columbia," approved March third, nineteen hundred and one, be, and the same is hereby, amended by incorporating therein the following, to be known as subchapter one of chapter fifteen:

Subchapter 1 added to chapter 15.

CONDEMNATION OF LAND FOR STREETS.

Condemnation of land for streets.

SEC. 491a. Whenever land is needed for the opening, extension, widening, or straightening of any street, avenue, road, or highway in the District of Columbia, authorized by Congress, the Commissioners of the District of Columbia may institute, in the supreme court of the District of Columbia, sitting as a district court, by petition, a proceeding in rem for the condemnation of the land needed.

Description.

SEC. 491b. Such petition shall contain a particular description of the land to be condemned and the names of the owners of the fee of said land and their residences, so far as the same may be ascertained, together with a plan of the land to be taken.

Notice of proceedings.
By advertisement.

SEC. 491c. The said court shall cause public notice of not less than twenty days to be given of the institution of such proceeding, by advertisement in three daily newspapers published in the District of Columbia, which notice shall warn and require all persons having any interest in the proceeding to appear in court at a day to be named in said notice, and to continue in attendance until the court shall have made its final order ratifying and confirming the award of damages and the assessment of benefits by the jury herein provided for; and in addition to such public notice said court shall cause a copy of said notice to be served by the United States marshal for the District of Columbia, or his deputies, upon such owners of the land to be condemned as can be found by said marshal, or his deputies, within the District of

Personal service.