AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

area one hundred and fifty thousand acres: *Provided further*, That no general development of either of these areas shall be undertaken until a major portion of the remainder in such area shall have been accepted by said Secretary.

Area to be accepted before any development made.

SEC. 4. The Secretary of the Interior may for the purpose of carrying out the provisions of this Act employ the commission authorized by the Act approved February 21, 1925.

Commission employed.
Vol. 43, p. 959.

Approved, May 22, 1926.

CHAP. 364.—An Act To carry into effect provisions of the convention between the United States and Great Britain to regulate the level of Lake of the Woods concluded on the 24th day of February, 1925.

May 22, 1926.
[H. R. 9872.]
[Public, No. 269.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to acquire, as soon as practicable after the enactment of this Act, by purchase or by condemnation, in accordance with the provisions of the Act entitled "An Act to authorize condemnation of land for sites of public buildings, and for other purposes," approved August 1, 1888, the flowage easements up to elevation one thousand and sixty-four sea level datum upon all lands in the United States bordering on the Lake of the Woods and such lands or interests therein as are necessary to provide for protective works and measures in the United States along the shores of the Lake of the Woods and the banks of the Rainy River as specified in article 8 of the convention signed at Washington on the 24th of February, 1925, between the Governments of the United States and Great Britain, providing for the regulation of the level of the Lake of the Woods.

Lake of the Woods.
Flowage easements, etc., on lands bordering, to regulate level thereof, under treaty engagement with Great Britain.
Vol. 25, p. 357.

Post, p. 2110.

In proceeding by condemnation for acquiring such flowage easements on any tract of land any benefit to the remainder of the tract or the property thereon derived from such easement shall be considered and damages shall be awarded accordingly.

Benefits considered in awarding damages by condemnation.

SEC. 2. The protective works and measures provided for in article 8 of the convention, or such thereof as the Secretary of War may deem necessary for the protection of the property rights and interests of the inhabitants of the territory affected, shall be constructed, or carried out, under the direction of the Secretary of War and all moneys which may be paid by the Government of Canada to the Government of the United States under article 10 of the convention are hereby appropriated and made available for expenditure by the Secretary of War for the construction of such works, and the carrying out of such measures, and for the acquisition of easements, lands, and interests therein as provided in section 1 of this Act.

Construction of protective works, etc.

Moneys from Canada available for expenditures.
Post, p. 2111.
Post, p. 865.

SEC. 3. The Secretary of War is hereby authorized and directed to cause to be investigated, as soon as practicable, all claims for damages caused, prior to the acquisition of flowage easements under this Act, to the inhabitants of the United States by fluctuation of the water levels of the Lake of the Woods due to artificial obstructions in outlets of said lake, and after due notice and opportunity for hearing, shall ascertain and determine the loss or injury, if any, that may have been sustained by the respective claimants and to report to Congress for its consideration the amount or amounts he may find to be equitably due such claimants, together with a statement in each case of the substantial facts upon which the conclusion is based: *Provided*, That all claims not presented to the Secretary of War under this provision prior to the expiration of six months from the date of the passage of this Act shall not be considered by him and shall be forever barred.

Prior claims for damages due to artificial obstruction to outlets to be investigated.

Report to Congress.

Proviso.
Time limit for presenting.

Approved, May 22, 1926.