

If compensation award exceeds payment made, judgment entered for deficit.

Power of court to fix time for surrender of possession.

Orders respecting encumbrances, etc.

Vesting of title not delayed by appeal.

Payment of ultimate award.

Prior rights, etc., not abrogated.

Expenditures, etc., when United States committed to pay awards.

R. S., sec. 355.  
U. S. C., p 1700.  
*Proviso.*  
Validity of title.

February 26, 1931.  
[H. R. 15876.]  
Public, No. 737.

Mesa Verde National Park, Colo.  
Additions to, authorized.

awarded in said proceeding. If the compensation finally awarded in respect of said lands, or any parcel thereof, shall exceed the amount of the money so received by any person entitled, the court shall enter judgment against the United States for the amount of the deficiency.

Upon the filing of a declaration of taking, the court shall have power to fix the time within which and the terms upon which the parties in possession shall be required to surrender possession to the petitioner. The court shall have power to make such orders in respect of encumbrances, liens, rents, taxes, assessments, insurance, and other charges, if any, as shall be just and equitable.

SEC. 2. No appeal in any such cause nor any bond or undertaking given therein shall operate to prevent or delay the vesting of title to such lands in the United States.

SEC. 3. Action under this statute irrevocably committing the United States to the payment of the ultimate award shall not be taken unless the chief of the executive department or agency or bureau of the Government empowered to acquire the land shall be of the opinion that the ultimate award probably will be within any limits prescribed by Congress on the price to be paid.

SEC. 4. The right to take possession and title in advance of final judgment in condemnation proceedings as provided by this Act shall be in addition to any right, power, or authority conferred by the laws of the United States or those of any State or Territory under which such proceedings may be conducted, and shall not be construed as abrogating, limiting, or modifying any such right, power, or authority.

SEC. 5. In any case in which the United States has taken or may take possession of any real property during the course of condemnation proceedings and in advance of final judgment therein and the United States has become irrevocably committed to pay the amount ultimately to be awarded as compensation, it shall be lawful to expend moneys duly appropriated for that purpose in demolishing existing structures on said land and in erecting public buildings or public works thereon, notwithstanding the provisions of section 355 of the Revised Statutes of the United States: *Provided*, That in the opinion of the Attorney General, the title has been vested in the United States or all persons having an interest therein have been made parties to such proceeding and will be bound by the final judgment therein.

Approved, February 26, 1931.

**CHAP. 308.**—An Act To provide for the addition of certain lands to the Mesa Verde National Park, Colorado, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purpose of protecting the scenery along the Point Lookout Road between the north boundary of the Mesa Verde National Park and this road's juncture with the Cortez-Mancos Road, the President of the United States is hereby authorized, upon the recommendation of the Secretary of the Interior, to add to the said Mesa Verde National Park, Colorado, by executive proclamation, a strip of land two hundred and sixty feet wide along and including said Point Lookout Road, and the triangle formed by the fork in said road and such other public land along or adjacent to said road and right of way and lands as may be acquired by gift or by exchanges as hereinafter provided, which lands shall thereupon become and be

a part of said park subject to all laws and regulations applicable thereto.

SEC. 2. That for the purpose of carrying out the provisions of this Act the Secretary of the Interior is hereby authorized to accept donations of land or right of way, or to acquire title to any land along or adjacent to the said Point Lookout Road as may be deemed desirable by him for the protection of said road, by exchange for any unappropriated public lands within sections 29 and 32, township 36 north, range 14 west, New Mexico principal meridian, of equal value; the value of the lands offered for exchange hereunder and the value of the lands of the United States to be selected therefor shall be ascertained in such manner as the Secretary of the Interior may direct; and the owners of lands offered to the United States pursuant hereto shall, before the exchange is effective, furnish the Secretary of the Interior evidence satisfactory to him of title to the lands offered in exchange.

Approved, February 26, 1931.

Acceptance of donations.

Exchange authorized.

Value ascertained.

Title.

CHAP. 313.—An Act To provide for the paving of the Government road across Fort Sill (Oklahoma) Military Reservation.

February 27, 1931.  
[H. R. 7272.]  
[Public, No. 738.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is authorized to construct a paved road across the Fort Sill (Oklahoma) Military Reservation, over such route as he may determine, for which an appropriation is hereby authorized in such amount as may be required to pay one-half the cost of the improvement of said road but not in excess of the amount that would be payable as Federal aid for the construction of a primary road of equal length in the vicinity of said reservation under the Federal Highway Act of November 9, 1921, as amended: *Provided,* That the State of Oklahoma or civil subdivisions thereof or local interests concerned before construction of said road is commenced shall contribute an amount sufficient to cover the remainder of the cost of improving said road, and the Secretary of War is hereby authorized to expend such sum as may be so contributed concurrently with the appropriation herein authorized.

Fort Sill Military Reservation, Okla.  
Appropriation for road construction across, authorized.

Vol. 42, p. 212.

*Proviso.*  
Oklahoma, etc., to contribute.

Approved, February 27, 1931.

CHAP. 314.—An Act To authorize and direct a preliminary examination of the Hocking River for the distance it flows through Athens County, Ohio.

February 27, 1931.  
[H. R. 8736.]  
[Public, No. 739.]

*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 cause a preliminary examination to be made of the Hocking River for the distance that it flows through Athens County, Ohio, with a view to control the floods from said river in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River, and of the Sacramento River, California, and for other purposes," approved March 1, 1917, the cost thereof not exceeding \$1,500 to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Hocking River.  
Preliminary examination of, to be made.

Vol. 39, p. 950.

Limit of cost; payment.

Approved, February 27, 1931.