

H.R. 4923

of the 60th Congress, 1st session.

IN THE HOUSE OF REPRESENTATIVES

December 5, 1907.

Mr. Smith, of Missouri, introduced the following bill ; which was referred to the Committee on Military Affairs and ordered to be printed.

A BILL

To establish a national military park to commemorate the battle of Pilot Knob, Missouri.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to commemorate the battle of Pilot Knob and to preserve the history of the events which occurred during the last invasion of Missouri I eighteen hundred and sixty-four and in said battle, the battlefield of Pilot Knob, in the State of Missouri, is hereby declared to be a national military park whenever the title to same shall have been acquired by the United States and the usual jurisdiction over the lands and roads of the same shall have been granted to the United States by the State of Missouri ; that is to say, the area inclosed in lots numbered fifty, fifty-one, fifty-two, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-eight, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four, seventy, seventy-one, seventy-two, seventy-three, seventy-four, seventy-five, seventy-six, and seventy-seven, of the Big Muddy Coal and Iron Company's subdivision adjoining the town of Pilot Knob, Iron County, Missouri, and in addition thereto such points of interest as the park commission to be hereinafter named may deem necessary for the purposes of the park and the Secretary of War may approve, the whole containing about one hundred acres and costing not to exceed seven thousand five hundred dollars.

Sec. 2. That the establishment of the Pilot Knob National Military Park shall be carried forward under the control and direction of the Secretary of War ; and the Secretary of War shall, upon passage of this Act, proceed to acquire the title to same by voluntary conveyance or under the Act approved August first, eighteen hundred and eighty-eight, entitled "An Act to authorize the condemnation of land for sites for public buildings, and for other purposes," or under the Act approved February twenty-second, eighteen hundred and sixty-seven, entitled "An Act to

establish and protect national cemeteries," as he may elect or deem practicable ; and when title is procured to all of the lands and roads within the boundaries of the proposed park, as described in section one of this Act, he may proceed with the establishment of the park ; and he shall detail an officer of the Engineer Corps of the Army to assist the commissioners in establishing the park.

Sec 3. That the affairs of the Pilot Knob National Military Park shall be subject to the supervision and direction of the Secretary of War, be in charge of three commissioners to be appointed by the Secretary of War, each of whom shall [be veterans of the] troops engaged in the battle of Pilot Knob to enter upon the [missing word(s)] engaged therein, two of whom shall have served in the force commanded by General Ewing and one in the army commanded by General Price. The commissioners shall select one of the number chairman ; they shall also elect, subject to the approval of the Secretary of War, a secretary, who shall also be historian, and they and the secretary shall have an office in the town of Pilot Knob, Missouri, or on the grounds of the park, and be paid such compensation as the Secretary of War shall deem reasonable and just.

Sec. 4. That it shall be the duty of the commissioners named in the previous section, under the direction of the Secretary of War, to restore the redoubt known as Fort Davidson and the rifle pits connecting therewith ; to open and construct such roads as may be necessary, and to ascertain and mark with historical tablets or otherwise, as the Secretary of War shall determine, the lines of battle of the troops engaged in the assault and the lines and positions held by the troops defending Fort Davidson and the Arcadia Valley during the battle and other historical points of interest pertaining to the assault upon and the defense of Fort Davidson ; and the said commissioners in establishing this military park shall also have authority, under the direction of the Secretary of War, to do all things necessary to the purposes of the park and for its establishment under such regulations as the Secretary of War may consider best for the interests of the Government, and he shall make and enforce all needful regulations for the care of the park.

Sec. 5. That it shall be lawful for any State that had troops engaged in the battle of Pilot Knob to enter upon the lands of the Pilot Knob Military Park for the purpose of ascertaining and marking the lines of battle and positions of its troops engaged therein : *Provided*, That before any such lines or positions are permanently marked the designation of the position or lines and the proposed method of marking them by monuments, tablets, or otherwise shall be submitted to and approved by the Secretary of War, and all such lines and positions and the designs and inscriptions for the same shall first receive the written approval of the Secretary of War, which approval shall be based on formal written reports which must be made to him in each case by the commissioners of the park, and no monument or other designating indication shall be erected or placed within said park or vicinity without such written authority of the Secretary of War : *Provided*, That no discrimination shall be made against any State as to the manner of designating lines or positions but any grant made to any State by the Secretary of War may be

used by any other State. The provisions of this section shall also apply to organizations and persons.

Sec. 6. That if any person shall, except by the permission of the Secretary of War, destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, tablet, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work intended for the protection or ornamentation of said park or any portion thereof, or shall destroy, cut, bark, hack, break down, or otherwise injure any tree, bush, or shrub that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree or trees growing or living upon said park, or hunt within the limits of said park, or shall remove or destroy any breastworks, earthworks, walls or other defenses or shelter on any part thereof constructed for the defense of this position on the lands or approaches to the park, any person so offending and found guilty thereof before any United States commissioner or court, justice of the peace of the county in which the offense is committed, or any court of competent jurisdiction, shall, for each and every such offense, forfeit and pay a fine, in the discretion of said commissioner or court of the United States or justice of the peace, according to the aggravation of the offense, of not less than five nor more than five hundred dollars, one half for the use of the park and the other half to the informant, to be enforced and recovered before such United States commissioner or court, justice of the peace or other court in like manner as debts of like nature are now by law recoverable in the several counties where the offense may be committed.

Sec. 7. That to enable the Secretary of War to begin to carry out the purpose of this Act, including the purchase or condemnation of the necessary land marking the boundaries of the park, opening or repairing necessary roads, restoring the field to its condition at the time of the battle, maps and surveys, material, labor, clerical and all other necessary assistants, and the pay and expense of the commissioners and their secretary and assistants, the sum of twelve thousand dollars, or such a portion thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, and disbursements under this Act shall require the approval of the Secretary of War, and he shall make annual report of same to Congress.

AREA THE NATIONAL BATTLEFIELD PARK WOULD HAVE CONSISTED OF,

IF THIS PASSED, IS ON THE NEXT PAGE.

BIG MUDDY COAL & IRON COMPANY'S
SUBDIVISION of
of Section 25 of Twp 34N of R3E - Part of Rds 22, 30, 31, & 32 of Twp 34N, R4E



and in addition thereto such points of interest
as the park commission to be hereinafter named m
ay deem necessary for the purposes of the park

Filed September 16, 1906
and 5 minutes