

1-18-61

Presidential Document

Title 3—THE PRESIDENT

Proclamation 3391

ESTABLISHING THE CHESAPEAKE AND OHIO CANAL NATIONAL MONUMENT, MARYLAND

By the President of the United States of America

A Proclamation

WHEREAS by deed of September 23, 1938, the United States acquired from the Receivers of the Chesapeake and Ohio Canal Company certain lands, together with all appurtenances thereunto belonging, known as the Chesapeake and Ohio Canal; and

WHEREAS since September 23, 1938, such lands have been administered and protected by the Department of the Interior through the National Park Service; and

WHEREAS, by section 2 of the act of Congress approved June 8, 1906 (34 Stat. 225), the President of the United States is authorized "in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected"; and

WHEREAS the Chesapeake and Ohio Canal is of historic and scientific interest, and historic structures and objects of scientific interest are situated upon the lands thereof:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, by virtue of the authority vested in me by section 2 of the act of June 8, 1906, 34 Stat. 225 (16 U.S.C. 431), do proclaim that, subject to valid existing rights, there is hereby reserved and set apart as a national monument, to be known as the Chesapeake and Ohio Canal National Monument, that portion of the property now owned by the United States and acquired by it under the said deed of September 23, 1938, which extends from Cumberland, Maryland, to a location 100 feet downstream from the first culvert above the Seneca aqueduct, the monu-

ment hereby established containing approximately 4,800 acres.

The said deed of September 23, 1938, is recorded in the land records of the County of Allegany, Maryland, in Book R.J. No. 181 at Folio 603, of the County of Washington, Maryland, in Book No. 207 at Folio 575, of the County of Frederick, Maryland, in Book No. 414 at Folio 245 sc., and of the County of Montgomery, Maryland, in Book No. 638 at Folio 76. Detailed maps of the Chesapeake and Ohio Canal property, consisting of 15 rolls prepared by B. F. Mackall, are on file with the Director, National Park Service, Washington, D.C., and the Superintendent of the Chesapeake and Ohio Canal Project in Hagerstown, Maryland.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, deface, or remove any feature of this monument and not to locate or settle upon any of the lands reserved by this proclamation.

The Chesapeake and Ohio Canal National Monument shall be supervised, managed, and controlled in accordance with the act of Congress entitled "An Act To Establish a National Park Service, and for Other Purposes," approved August 25, 1916 (39 Stat. 535), and acts supplementary thereto and amendatory thereof, including the act of September 22, 1950 (64 Stat. 905), and the act of August 1, 1953 (67 Stat. 359).

Nothing in this proclamation is intended to prejudice the use of the Chesapeake and Ohio Canal National Monument for such works as the Congress may hereafter authorize for municipal and domestic water supply, navigation, flood control, drainage, recreation, or other beneficial purposes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this eighteenth day of January in the year of our Lord nineteen hundred and [SEAL] sixty-one and of the Independence of the United States of America the one hundred and eighty-fifth.

DWIGHT D. EISENHOWER

By the President:

CHRISTIAN A. HERTZ,
Secretary of State.

[P.R. Doc. 81-696 Filed, Jan. 23, 1961; 10:36 a.m.]