

Columbia, or by the coroner of said District, for judicial purposes; the provisions of this Act shall not be held to interfere with the disposal of the ashes of bodies which have been cremated.

SEC. 18. That the provisions of this Act shall not be applied to prevent the immediate removal of bodies from Graceland Cemetery, as required by "An Act to prohibit the interment of bodies in Graceland Cemetery in the District of Columbia," approved August third, eighteen hundred and ninety-four.

Removal of bodies from Graceland Cemetery. Vol. 28, p. 220.

SEC. 19. That all acts or parts of acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Repeal.

Approved, January 25, 1898.

**CHAP. 7.**—An Act Authorizing the Commissioners of the District of Columbia to accept the bequest of the late Peter Von Essen for the use of the public white schools of that portion of said District formerly known as Georgetown, and distribute same among the heirs of Peter Von Essen, deceased.

January 25, 1898.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commissioners of the District of Columbia be, and they are hereby, authorized and required to accept the bequest of twelve thousand and fifty-seven dollars and twenty-four cents bequeathed by the will of the late Peter Von Essen to the late corporation of Georgetown for the use of the free white schools of said town, and which sum has been decreed to be turned over to said Commissioners, as the successors of the said corporation, by the supreme court of the District of Columbia in equity cause numbered fifty-two hundred and thirty-eight; and that said Commissioners be, and they are hereby, required to distribute the said funds among the heirs of the said Peter Von Essen, deceased, share and share alike, upon satisfactory proof of such heirship.

Commissioners of the District of Columbia to accept bequest of Peter Von Essen

—to distribute funds among the heirs.

Approved, January 25, 1898.

**CHAP. 8.**—An Act To regulate, in the District of Columbia, the disposal of certain refuse, and for other purposes.

January 25, 1898.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be unlawful for any person or persons to maintain, upon any original lot or subdivisinal lot, situated on any street in the District of Columbia, where there is a public sewer and water main available for the use of such lot, any system of disposal of human excreta except by means of water-closets connected with such sewer and water main.

District of Columbia.

Disposal of refuse, etc.

Water-closets required where public sewer is available.

SEC. 2. That no privy shall be constructed or maintained in said District, every part of which is not at least five feet from the line of any adjoining lot, two feet from any street or public or private passageway, and ten feet from any building used or intended to be used for dwelling purposes, or wherein persons are employed or intended to be employed in any trade or business; nor within fifty feet of any well or spring used or likely to be used by man as a source of water for drinking or domestic purposes.

Privies, location of, etc.

SEC. 3. That every privy in said District shall be constructed and maintained in such a manner and position as to afford ready means of access thereto for the purpose of cleaning the same, and to admit of the removal of the contents from the premises whereon such privy is situated to the public street without being carried through any dwelling house or building where persons are employed in any trade or business; and said privy shall be so constructed as to prevent undue exposure of the occupants thereof, and provided with a sufficient opening for ventilation, as near the top as practicable, communicating

Access to, construction of, etc.

directly with the external air. The floor thereof shall be paved with some nonabsorbent material, and constructed so that it shall be in every part at a height of not less than four inches above the level of the surface of the surrounding ground and have a fall or incline toward the door of the privy of half an inch to the foot. Said privy shall be provided with a suitable receptacle or suitable receptacles for filth, which may be movable or fixed, which shall have suitable covers and be kept closed therewith whenever practicable.

Removable receptacles.

Size, position, etc., of receptacle.

SEC. 4. That whenever any privy in said District is provided with a movable receptacle there shall be constructed over the whole area of the space immediately beneath the seat of the privy a floor at a height of not less than four inches above the level of the surface of the adjoining ground, said floor and the whole extent of each side of such space between the floor and the seat to be constructed of some nonabsorbent material. The seat, the aperture therein, and the space beneath must be of such dimensions as to admit of the removable receptacle for filth being placed or fitted beneath the seat in such manner and position as may effectually prevent the deposit of any filth elsewhere than in the receptacle. The seat shall be so constructed that the whole or sufficient part of it may be readily removed or adjusted in such a manner as to afford adequate access to the space beneath for the purpose of cleaning the same and removing the receptacle therefrom or placing or fitting it therein. Such receptacle for filth shall not exceed in capacity two cubic feet, and shall be made of metal, water-tight, and provided with handles, and so constructed that it may be closed with a cover and made air-tight at the time of its removal. Such receptacle shall at all times be kept in good repair.

Prevention of absorption from receptacle, leakage, etc.

SEC. 5. That whenever any privy in said District is provided with a fixed receptacle, the bottom and floor of said privy shall be in every part at least four inches above the level of the surface of the adjoining ground, and adequate means of access must be provided for the purpose of cleansing the receptacle and removing the filth therefrom. Said receptacle shall not exceed in capacity eight cubic feet, and shall be constructed of such material or materials and in such a manner as to prevent any absorption by any part of it of any filth deposited therein or any escape of its contents by leakage or otherwise, except in process of cleaning. Said receptacle shall be maintained at all times in good repair.

To contain only fecal matter, etc.

SEC. 6. That no person shall, in said District, deposit in any receptacle for filth in any privy any substance except human fecal matter, urine, and liquid house refuse, except for the purpose of disinfecting or deodorizing; and it shall be the duty of the occupant or occupants of any premises on which a privy is located, or, if such premises be unoccupied, of the owner or owners thereof, to keep the same and the contents thereof disinfected and deodorized at all times.

Walls, seats, etc., to be kept in good condition, etc.

SEC. 7. That no occupant of any premises in said District whereon is situated any privy, or, if such premises be unoccupied, no owner or owners thereof, shall permit the approaches to such privy, the walls, floors, seats, or fittings thereof, to be in such a state or condition as to be a nuisance or annoyance to any person or persons, for want of proper cleansing thereof, nor allow any receptacle for filth used in connection with any privy to be filled within less than four inches of the top thereof.

Removal of contents, etc.

SEC. 8. That no part of the contents of any privy shall, in said District, be removed therefrom, nor shall the same be transported through or over any streets or highways, except as the same shall be removed and transported by means of some air-tight apparatus, pneumatic or other process, so as to prevent the contents from being agitated or exposed to the open air during the process of such removal or transportation.

Dwellings, business houses, etc., accommodations for.

SEC. 9. That every building in said District used for dwelling purposes, or where persons are employed or intended to be employed in any trade or business, shall be provided with sufficient and suitable privy accommodations, having regard to the number of persons em-

ployed in or in attendance at such building; and also where persons of both sexes are employed or intended to be employed, or in attendance, with sufficient, suitable, and separate privy accommodations for persons of each sex. It shall be unlawful for any owner or agent to put any person or persons in possession of any building, or any part thereof, not provided with privy accommodations as aforesaid, except a watchman for the purpose of guarding such building or part thereof.

SEC. 10. That no person shall, in said District, deposit any human fecal matter in any place except in some properly constructed privy or water-closet, nor shall any person, having removed the contents, or any part thereof, of any privy in the District of Columbia, deposit it in any place other than such as may be approved by the health officer of said District.

Deposits only in privies, etc., or in place approved by the health officer.

SEC. 11. That it shall be unlawful for any person other than such as shall be authorized by the health office of said District to clean for pay any privy therein. Said authority shall be granted by said health officer upon application to any person who is properly equipped as to apparatus and means of disposal for performing the work to be done.

Authority to clean, etc.

SEC. 12. That no person shall, in said District, erect or maintain a privy without having secured from the health officer of said District a permit so to do. Such permits shall be issued subject to the conditions of this Act upon written applications without cost, shall be numbered consecutively, and shall describe the location where each privy is to be maintained.

Permits.

—for erection of privies.

SEC. 13. That no person shall, in said District, construct or maintain any system of sewage disposal by means of broad irrigation, subsoil irrigation, or otherwise, except upon a permit issued by the Commissioners of said District. Applications for said permit shall be in writing to said Commissioners and shall be accompanied by detailed plans of the system which it is proposed to construct and maintain; and no permit shall be issued under this section until said Commissioners are satisfied that said system can be maintained without nuisance or danger to public health.

—for private sewage system.

SEC. 14. That any person who shall violate or aid or abet in violating any of the provisions of this Act shall be guilty of a misdemeanor, and, upon conviction thereof, be punished by a fine of not more than fifty dollars, or by imprisonment in the jail of the District of Columbia for not exceeding fifteen days.

Penalty.

SEC. 15. That prosecutions under this Act shall be in the police court of the District of Columbia, in the name of the District of Columbia, on information signed by the attorney for said District or one of his assistants: *Provided*, That any person or persons tried under this Act shall have the privilege, when demanded, of a trial by jury, as in other jury cases in said police court.

Procedure, etc.

*Proviso.*

Jury trial.

SEC. 16. That the term privy, as used in this Act, shall be held to mean any building or part of a building used or intended to be used for the reception of human fecal matter or urine, and which is not connected with the public sewer or with some duly authorized system of sewage disposal, so as to immediately remove such material from such building; that the owner or owners of the premises on which any such privy is situated shall be held liable for its erection and maintenance in conformity to law, and for the removal of the contents thereof as may from time to time be necessary; and if such owner or owners can not be found in the District of Columbia a notice of any work required by this Act to be done, specifying a reasonable time for the performance thereof, shall be left with the agent of such premises, or if no such agent can be found in said District, such notice shall be mailed to the last known address of such owner or owners; and if the work specified in said notice be not done within the time allowed therein, the Commissioners of the District of Columbia are hereby authorized to cause such work to be done and to assess the cost thereof as a tax against the property benefited, which tax shall be carried on the regu-

"Privy" defined.

Owner of premises liable, etc.

Notice.

lar tax roll of the District of Columbia, and shall be collected in the manner provided for the collection of other taxes.

When to take effect.

SEC. 17. That this Act, in so far as it affects privies hereafter to be erected or existing in said District at the time of its passage, otherwise than in conformity to the laws in force at that time, shall take effect upon its passage; in so far as it affects privies existing in said District at the time of its passage, in conformity to the laws in force at that time, it shall take effect one year after date of said passage.

Repeal.

SEC. 18. That all acts or parts of acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved, January 25, 1898.

January 27, 1898.

**CHAP. 10.**—An Act To amend section twenty-two hundred and thirty-four of the Revised Statutes.

Public and Indian lands.  
R. S., sec. 2234, p. 392, amended.

Accountability of receivers for sales, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section twenty-two hundred and thirty-four of the Revised Statutes of the United States is hereby amended so as to read as follows:

“SEC. 2234. There shall be appointed by the President, by and with the advice and consent of the Senate, a register of the land office and a receiver of public moneys for each land district established by law, who shall have charge of and attend to the sale of public and Indian lands within their respective districts, as provided by law and official regulations, and receivers shall be accountable under their official bonds for the proceeds of such sales, and for all fees, commissions, or other moneys received by them under any provision of law or official regulation.”

Approved, January 27, 1898.

January 28, 1898.

**CHAP. 11.**—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for prior years, and for other purposes.

Urgent deficiencies appropriations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year eighteen hundred and ninety-eight, and for other objects hereinafter stated, namely:

Department of State.

#### DEPARTMENT OF STATE.

Commercial Bureau of American Republics.

Nicaragua Canal Commission.  
Surveys, etc.  
Vol. 28, p. 918.

For Commercial Bureau of American Republics, forty-one thousand nine hundred and seventy-two dollars.

**NICARAGUA CANAL COMMISSION:** To continue the surveys and examinations authorized by the Act approved March second, eighteen hundred and ninety-five, entitled “An Act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes,” into the proper route, the feasibility and cost of construction of the Nicaragua Canal, with the view of making complete plans for the entire work of construction of such canal as therein provided, one hundred thousand dollars; to continue available during the fiscal year eighteen hundred and ninety-nine.

Library of Congress.

#### LIBRARY OF CONGRESS.

Contingent expenses.

For contingent expenses of the Library, one thousand dollars.