

February 9, 1899.

CHAP. 129.—An Act To authorize the Missouri and Kansas Telephone Company to construct and maintain lines and offices for general business purposes in the Ponca, Otoe, and Missouri Reservation, in the Territory of Oklahoma.

Missouri and Kansas Telephone Company may construct lines, etc., in Ponca, etc., Reservations, Okla.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Missouri and Kansas Telephone Company is hereby authorized and empowered to construct and maintain telephone lines and offices for general telephone business in the Ponca, Otoe, and Missouri Reservation in the Territory of Oklahoma, subject to the approval of the Secretary of the Interior and upon the terms and conditions hereinafter prescribed.

Annual rental.

SEC. 2. That said company shall pay to the nation or tribe through which it extends its telephone lines, in whole or in part, annually, five dollars for each ten miles of said line so constructed and maintained.

Consent to construction on improvements.

SEC. 3. That before said telephone line shall be constructed under the provisions of this Act consent shall be obtained from all persons in the lawful possession of improvements authorizing said construction upon such improvements; and if the right to construct any such line can not be obtained by agreement, then the amount of damages shall be determined by arbitration, one arbitrator to be selected by the company and one by the owner of the improvements, and if they fail to agree they shall select a third person, and the award so made shall be binding upon the parties thereto: *Provided,* That either party dissatisfied with such award may appeal therefrom, within twenty days, to the United States court exercising jurisdiction over the tribe or nation in which such improvements are situated by filing an original petition in said court exhibiting the findings of said board, and upon the final hearing of said petition the court or jury trying the same shall assess the actual damage caused by the construction of said line. The company shall not begin the construction of said telephone line upon the improvements of another without his consent, or until the board of arbitrators herein provided for shall have made an award of the damages and the company shall have paid or tendered in payment the amount of such award.

Damages.

Proviso.
Appeal, etc.

Taxes.

SEC. 4. That nothing herein shall be construed as exempting said telephone company from the payment of any tax which may be lawfully assessed against such company; and Congress hereby expressly reserves the right to regulate the tolls or charges of any lines constructed under the provisions of this Act.

Tolls.

Approved, February 9, 1899.

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CHAP. 150—An Act To extend Rhode Island avenue.

District of Columbia. Extension of Rhode Island avenue.

Condemnation proceedings.

R. S. D. C., secs. 257-267, pp. 257, etc.

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 are hereby authorized and directed to commence suit for the condemnation of the land required for the extension of Rhode Island avenue from Florida avenue to Le Droit avenue within thirty days from the passage of this Act, and the proceedings for such condemnation shall be under and according to the provisions of sections two hundred and fifty-seven to two hundred and sixty-seven of the Revised Statutes of the United States relating to the District of Columbia, which provide for the condemnation of lands in said District for public highways.

Payment out of District revenues.

SEC. 2. That payment of the sum or sums of money adjudged to be due and payable for lands taken under the provisions of this Act shall be made by the Treasurer of the United States, ex officio commissioner of the sinking fund of the District of Columbia, upon the warrant of the said Commissioners, out of the revenues of the District of Columbia; and a sufficient sum to pay such judgments and awards is hereby appropriated out of the revenues of the District.

SEC. 3. That of the amount found due and awarded as damages for and in respect of the land condemned under this act for the extending of said avenue, one-half thereof shall be assessed by said jury in said proceedings against those pieces or parcels of ground situate and lying on each side of said Rhode Island avenue extended, between Florida avenue, Maple avenue, Linden street, and Le Droit avenue; and also those contained in squares eighteen and nineteen and the south half of square twenty in the recorded addition to Le Droit Park; and also those contained in blocks one and two, and the northwest corner lot of block seven in the subdivision known and designated as Bloomingdale; and also against so much of that tract of land known and designated as the David Moore tract as lies west of North Capitol street.

Assessments against abutting property, etc.

SEC. 4. That the sums to be severally assessed against each lot and piece or parcel of ground shall be determined and designated by the jury, and in determining what amount shall be assessed against any particular piece or parcel of ground, the jury shall take into consideration the situation of such lots and each of them, and the benefit they may severally receive from the widening of said avenue. When the use of a part only of any piece or parcel of ground shall be condemned, the jury, in determining its value, shall not take into consideration any benefits that may accrue to the remainder thereof from the opening of said avenue, but such benefits shall be considered in determining what assessment shall be made on or against that part of such lot as is not taken, as is hereinbefore provided.

—how determined, etc.

SEC. 5. That when confirmed by the court, the assessments made as aforesaid shall severally be a lien upon the land assessed, and shall be collected as special improvement taxes in the District of Columbia have been collected since February twentieth, eighteen hundred and seventy-one, and shall be payable in five equal installments, with interest at the rate of four per centum per annum until paid.

—to be a lien.

SEC. 6. That payment of the awards made in respect of the property condemned under the provisions of this Act shall not be made until the assessments herein provided for shall have been made against the aforesaid property and duly confirmed, and approved or affirmed by the court.

Payment of awards.

Approved, February 10, 1899.

CHAP. 151.—An Act To receive arrearages of taxes due the District of Columbia to July first, eighteen hundred and ninety-seven, at six per centum per annum, in lieu of penalties and costs.

February 10, 1899.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the rate of interest to be collected of any person owing arrearages of general taxes prior to July first, eighteen hundred and ninety-seven, now due to and the liens for which are held by the District of Columbia shall be six per centum per annum in lieu of the rate and penalties now fixed by law and all accrued costs: *Provided,* That this Act shall apply only to taxes paid on or before the first day of July, eighteen hundred and ninety-nine.

District of Columbia. Arrearages of taxes due to July 1, 1897, to be received at 6 per cent in lieu of penalties and costs.

Provido. To apply only to taxes paid before July 1, 1899.

Approved, February 10, 1899.

CHAP. 152.—An Act To provide for the removal of snow and ice in the city of Washington, in the District of Columbia.

February 11, 1899.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available, for the following objects, namely: For cleaning snow and ice from cross-walks and gutters, under the Act approved March second, eighteen hundred and ninety-five, ten

District of Columbia. Removal of snow and ice. Vol. 28, p. 809.