

February 28, 1907.  
[S. 5119.]

**CHAP. 2115.**—An Act Authorizing the extension of W and Adams streets northwest.

[Public, No. 147.]

District of Columbia.  
Extension of W and  
Adams streets.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That upon the conveyance in proper form to the United States by the president and secretary of the Prospect Hill Cemetery, incorporated under the Act of Congress approved June thirteenth, eighteen hundred and sixty (Twelfth Statutes, page thirty-two), of the land necessary for the extension of W and Adams streets northwest, east to North Capitol street, said W street to be eighty feet wide and said Adams street to be ninety feet wide, the Commissioners of the District of Columbia are hereby authorized and directed to draw their warrant upon the Treasury of the United States, payable to the order of the Prospect Hill Cemetery, for the sum of four thousand dollars, in payment in full for the land necessary for the extension of said streets as above provided. Said sum shall be payable wholly from the revenues of the District of Columbia.

Payment to Pros-  
pect Hill Cemetery  
for land.  
Vol. 12, p. 32.  
From District rev-  
enue.

Assessment of bene-  
fits.

**SEC. 2.** That all of said amount of four thousand dollars, as herein provided, shall be assessed by the jury hereinafter provided for as benefits, and to the extent of such benefits, on any or all pieces or parcels of land which will be benefited by the extension of said streets, as said jury may find said pieces or parcels of land will be benefited, except the lands of the Prospect Hill Cemetery, and in determining the amounts to be assessed against said pieces or parcels of land the jury shall take into consideration the respective situations of such pieces or parcels of land and the benefits they may severally receive from the extension of said streets as aforesaid.

Proceedings to be  
instituted.

**SEC. 3.** That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed, as soon as practicable after the payment of the said sum of four thousand dollars, to institute proceedings in the proper court in the District of Columbia for the purpose of the assessment of said benefits upon the pieces or parcels of land which may be benefited by the extension of said streets. Said court shall cause public notice of not less than ten days to be given of the filing of said proceedings by advertisement in such manner as the court may prescribe, which notice shall warn all persons having any interest in the proceedings to attend court at a day to be named in said notice and to continue in attendance until the court shall have made its final order ratifying and confirming the assessments of benefits by the jury; and in addition to such public notice said court, whenever in its judgment it is practicable to do so, may cause a copy of said notice to be served by the marshal of the District of Columbia or his deputies upon such owners of the land to be so benefited by the opening of said streets as may be found by said marshal or his deputies within the District of Columbia.

Advertisement.

Personal service.

Marshal's jury.

Duties.

Hearings of objec-  
tions.

**SEC. 4.** That after the return of the marshal and the filing of proof of publication of the notice above provided for, said court shall cause a jury of seven judicious, disinterested men, not related to any person interested in the proceedings and not in the service or employment of the District of Columbia or of the United States, to be summoned by the marshal of the District of Columbia, to which jurors said court shall administer an oath or affirmation that they are not interested in any manner in the land to be condemned nor are in any way related to the parties interested therein, and that they will, without favor or partiality, to the best of their judgment assess the benefits resulting from the opening of said streets. The court before accepting the jury shall hear any objections that may be made to any member thereof, and shall have full power to decide upon all such objections, and to excuse any juror or cause any vacancy in the jury, when impaneled, to be filled;

and after said jury shall have been organized and shall have viewed the premises said jury shall proceed in the presence of the court, if the court shall so direct, or otherwise as the court may direct, to hear and receive such evidence as may be offered or submitted on behalf of the District of Columbia, and by any person or persons having any interest in the proceedings for the extension of said streets. When the hearing is concluded, the jury, or a majority of them, shall return to said court in writing its verdict setting forth the pieces or parcels of land benefited by such extension and the amount of the assessment for such benefits against the same.

Verdict.

SEC. 5. That the court shall have power to hear and determine any objections which may be filed to said verdict and to set aside and vacate the same in whole or in part when satisfied that it is unjust or unreasonable, and in such event a new jury shall be summoned who shall proceed to assess the benefits in respect of the land as to which the verdict may be vacated as in the case of the first jury: *Provided*, That if vacated in part, the residue of the verdict as to the land benefited shall not be affected thereby: *And provided further*, That the exceptions or objections to the verdict shall be filed within thirty days after the return of such verdict.

Review of verdict.

*Provisos.*  
Action is vacated in part.  
Filing exceptions.

SEC. 6. That when confirmed by the court the several assessments for benefits herein provided to be made shall severally be a lien upon the land assessed and shall be collected as special improvement taxes in the District of Columbia, and shall be payable in five equal annual installments, with interest at the rate of four per centum per annum from and after sixty days after the confirmation of said verdict. That said court may allow amendments in form or substance in any petition, process, record, or proceeding, or in the description of property assessed or proposed to be assessed for benefits whenever such amendments will not interfere with the substantial rights of the parties interested.

Collection of assessments.

Proceedings.

SEC. 7. That each juror shall receive as compensation the sum of five dollars per day for his services during the time he shall be actually engaged in such services under the provisions hereof.

Pay of jurors.

SEC. 8. That the sum of three hundred dollars is hereby appropriated, to provide the necessary funds for the costs and expenses of the proceedings taken pursuant hereto, out of the revenues of the District of Columbia.

Appropriation for expenses.

SEC. 9. That no appeal by any party from the decision of said court confirming the assessment of benefits as herein provided for, nor any other proceeding at law or in equity by such party against the confirmation of such assessment or assessments, shall delay or prevent the payment for the land necessary for the opening of said streets nor the extension of such streets. The Act approved June thirteenth, eighteen hundred and sixty, entitled "An Act to incorporate the proprietors of Prospect Hill Cemetery" (Twelfth Statutes, page thirty-two), is hereby amended so as to authorize and empower the conveyance of the land necessary for the opening of W and Adams streets, as is herein provided, and to that extent only.

Appeals not to delay opening of streets, etc.

Conveyance authorized.  
Vol. 12, p. 32, amended.

Approved, February 28, 1907.

CHAP. 2279. —An Act Authorizing the construction of four steam vessels for the Revenue-Cutter Service of the United States.

March 1, 1907.  
[S. 925.]

[Public, No. 148.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the construction, under the direction of the Secretary of the Treasury, of four steam vessels for the Revenue-Cutter Service, is hereby authorized, at a total cost

Revenue-Cutter Service.  
Four vessels authorized.  
Post, p. 1309.