

*Proviso.*  
Railroad to pay one-half of cost.

and profiles of said works, to be approved by the said commissioners: *Provided*, That one-half of the total cost of constructing the said viaduct and approaches shall be borne and paid by the said railroad company, its successors and assigns, to the collector of taxes of the District of Columbia, to the credit of the District of Columbia, and the same shall be a valid and subsisting lien against the franchises and property of the said railroad company and shall constitute a legal indebtedness of said company in favor of the District of Columbia, and the said lien may be enforced in the name of the District of Columbia by a bill in equity brought by the said commissioners in the Supreme Court of the District of Columbia, or by any other lawful proceeding against the said railroad company.

Enforcement.

Payment by street railways for use of viaduct.

SEC. 2. That no street railway company shall use the said viaduct or any approaches thereto herein authorized for its tracks until the said company shall have paid to the collector of taxes of the District of Columbia a sum equal to one-fourth of the cost of said viaduct and approaches, which sum shall be deposited to the credit of the District of Columbia.

Amount authorized to be appropriated.

SEC. 3. That for the purpose of carrying into effect the foregoing provisions, the sum of \$275,000 is hereby authorized to be appropriated, payable in like manner as other appropriations for the expenses of the government of the District of Columbia, and the said commissioners are authorized to expend such sum as may be necessary for personal services and engineering and incidental expenses. The said commissioners are further authorized to acquire, out of the appropriation herein authorized, the necessary land or any portion of same within the limits of Michigan Avenue as shown on the recorded highway plan, by purchase at such price or prices as in their judgment they may deem reasonable and fair, or, in the discretion of the commissioners, by condemnation in accordance with the provisions of subchapter 1 of Chapter XV of the Code of Law for the District of Columbia under a proceeding or proceedings in rem instituted in the Supreme Court of the District of Columbia: *Provided, however*, That of the entire amount found to be due and awarded by the jury as damages for, and in respect of, the land to be condemned to carry the provisions of this Act into effect, plus the costs and expenses of the proceeding or proceedings taken pursuant hereto, not less than one-half thereof shall be assessed by the jury as benefits, the amounts collected as benefits to be covered into the Treasury of the United States, to the credit of the District of Columbia.

Acquiring necessary land.

Condemnation.  
Vol. 34, p. 151.

*Proviso.*  
Not less than one-half of damages awarded to be assessed as benefits.

Closing of Michigan Avenue forever after viaduct completed.

SEC. 4. That from and after the completion of the said viaduct and approaches the highway grade crossing over the tracks and the right of way of the said Baltimore and Ohio Railroad Company at Michigan Avenue in the District of Columbia shall be forever closed against further traffic of any kind.

Approved, March 3, 1927.

March 3, 1927.

[S. 3888.]

[Public, No. 709.]

**CHAP. 306.**—An Act To provide for the elimination of grade crossings of steam railroads in the District of Columbia, and for other purposes.

District of Columbia.

Viaducts directed for Fern and Varnum Streets and Eastern Avenue over tracks of steam railroads.

*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 directed to construct viaducts and approaches thereto, to carry Fern and Varnum Streets over the tracks and right of way of the Baltimore and Ohio Railroad Company and to construct a viaduct and approaches thereto to carry Eastern Avenue over the tracks and

rights of way of the Philadelphia, Baltimore and Washington Railroad Company and the Baltimore and Ohio Railroad Company, in accordance with plans and profiles of said works to be approved by the said commissioners: *Provided*, That one-half of the total cost of constructing the viaduct and approaches thereto at Varnum Street and one-half of the total cost of constructing the viaduct and approaches thereto at Fern Street shall be borne and paid by the said Baltimore and Ohio Railroad Company, its successors and assigns, and that one-half of the total cost of constructing the viaduct and approaches thereto at Eastern Avenue shall be borne and paid by the said Philadelphia, Baltimore and Washington Railroad Company and the said Baltimore and Ohio Railroad Company, their successors and assigns, in proportion to the widths of their respective land holdings, to the collector of taxes of the District of Columbia for deposit to the credit of the District of Columbia, and the said half cost shall be valid and subsisting liens against the franchises and property of the railroad companies concerned and shall constitute a legal indebtedness against the said railroad companies in favor of the District of Columbia, and said liens may be enforced in the name of the District of Columbia by a bill in equity brought by the said commissioners in the Supreme Court of the District of Columbia, or by any other legal proceeding against the said railroad companies: *Provided*, That no street railway company shall use the said viaduct or any approaches thereto herein authorized for its tracks until said companies shall have paid to the collector of taxes of the District of Columbia, a sum equal to one-fourth of the total cost of constructing said viaducts and approaches, to be applied to the credit of the District of Columbia. No limitation shall run against claims made by the District of Columbia under the provisions of this Act.

*Proviso.*  
Railroads to pay one-half the cost.

Enforcement.

Payment by street railways required for use of viaducts.

No limitation against claims of District.

Amount authorized to be appropriated.

SEC. 2. That for the purpose of carrying into effect the provisions of this Act, the sum of \$405,000 is hereby authorized to be appropriated, payable in like manner as other appropriations, for the expenses of the government of the District of Columbia, and the said commissioners are authorized to expend such sum or sums as may be necessary for personal services, engineering, and incidental expenses. The said commissioners are further authorized to acquire, out of the appropriation herein authorized, the necessary land, or any portion of the same, by purchase at such price or prices as in their judgment they may deem reasonable and fair, or, in their discretion, by condemnation in accordance with the provisions of subchapter 1 of Chapter XV of the Code of Law for the District of Columbia, under a proceeding or proceedings in rem instituted in the Supreme Court of the District of Columbia: *Provided*, That of the entire amount found to be due and awarded by the jury as damages for, and in respect of, the land to be condemned to carry the provisions of this Act into effect, plus the costs and expenses of the proceeding or proceedings taken pursuant hereto, not less than one-half thereof shall be assessed by the jury as benefits, the amounts collected as benefits to be covered into the Treasury of the United States to the credit of the District of Columbia.

Acquiring necessary land.

Condemnation.  
Vol. 34, p. 151.

*Proviso.*  
Not less than one-half of damages awarded to be assessed as benefits.

SEC. 3. Hereafter the Commissioners of the District of Columbia are authorized, whenever in their judgment it may be necessary for the public safety, and subject to appropriations to be made therefor by Congress, to construct subways or viaducts and approaches thereto, in accordance with plans and profiles of said works to be approved by them, to carry any street or highway crossing at grade any line of steam railroad track or tracks in the District of Columbia, or any street or highway within the District of Columbia now or hereafter planned or projected to cross any such line of

Subways or viaducts authorized to eliminate grade crossings of any steam railroad tracks, when judged necessary by Commissioners.

*Proviso.*  
Payment of one-half of cost by railroads whose tracks are crossed.

Enforcement.

Acquisition of necessary land.  
*Ante*, p. 1353.

After completion of Fern Street viaduct, grade crossing at Chestnut Street forever closed.

After completion of Varnum Street viaduct, grade crossing at Bates Road forever closed.

After completion of Eastern Avenue viaduct, grade crossing at Quarles Street forever closed.

railroad, under or over said track or tracks: *Provided*, That one-half of the total cost of constructing any viaduct or subway and approaches thereto shall in each case be paid by the railroad company, its successors or assigns, whose tracks are so crossed; and in the event the rights of way of two or more railroad companies are so crossed said half cost as herein provided shall be paid by the said railroad companies, their successors or assigns, in proportion to the widths of their respective land holdings, and all provisions in respect to the method of payment and credit of said half cost, creation of a lien in respect thereto and enforcement thereof, conditions of use thereof by street railway companies, and every other kind of condition provided in section 1 hereof, and the authorization and every condition in respect thereto for the acquisition of any necessary land provided in section 2 hereof, in relation to the viaducts and their approaches therein authorized, are hereby made applicable to the subways, viaducts, and approaches authorized in this section the same as if enacted at length herein.

SEC. 4. From and after the completion of the viaduct and approaches to carry Fern Street over the tracks and right of way of the Metropolitan Branch of the Baltimore and Ohio Railroad Company, the highway grade crossing over the tracks and right of way of the said Baltimore and Ohio Railroad Company at Chestnut Street shall be forever closed against further traffic of any kind; and from and after the completion of the viaduct and approaches to carry Varnum Street over the tracks and right of way of the Metropolitan Branch of the Baltimore and Ohio Railroad Company, the highway grade crossing over the tracks and right of way of the said railroad company at Bates Road shall be forever closed against further traffic of any kind, and from and after the completion of the viaduct and approaches to carry Eastern Avenue over the tracks and rights of way of the Philadelphia, Baltimore and Washington Railroad Company and the Baltimore and Ohio Railroad Company, the highway grade crossing over the tracks and rights of way of the said railroad companies at Quarles Street, shall be forever closed against further traffic of any kind.

Approved, March 3, 1927.

March 3, 1927.  
[H. R. 7973.]  
[Public, No. 710.]

**CHAP. 307.**—An Act To provide American registry for the Norwegian sailing vessel *Derwent*.

"*Derwent*,"  
American registry given for foreign sailing vessel.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built sailing vessel *Derwent*, purchased and wholly owned by American citizens and repaired and changed by them into a barge, to be enrolled and licensed as a vessel of the United States.

Approved, March 3, 1927.

March 3, 1927.  
[H. R. 16703.]  
[Public, No. 711.]

**CHAP. 308.**—An Act Authorizing the President to appoint Captain Reginald Rowan Belknap, United States Navy, retired, a rear admiral on the retired list of the Navy.

Navy.  
Captain Reginald Rowan Belknap to be appointed rear admiral on retired list.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in recognition of the exceptionally meritorious service of Captain Reginald Rowan Belknap, United States Navy, retired, in command of Mine Squadron 1 of the mine force during the operation of laying mines in the North Sea, and for his excellent work in connection with the equip-