

Payments for im-
provements.

Lands excepted.

ments, or his assigns, then the appraised value of the improvements shall be paid to such party, or his assigns, and the remainder to the United States, and the Secretary of the Interior must be satisfied that the improvements shall have been paid for, as herein provided, before patent is issued to the purchaser of any of said lands: *Provided also*, That this Act shall not affect the lands in the existing Fort Walla Walla Military Reservation, area six hundred and nineteen acres and fifty-seven one-hundredths of an acre.

Approved, April 22, 1904.

April 22, 1904.
[S. 2133.]

[Public, No. 139.]

District of Columbia.
Names of Madison,
Sampson, and Samson
streets changed to
Church street.

CHAP. 1416.—An Act To change the name of Madison, Sampson, and Samson streets to Church street.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this Act the minor street passing through squares numbered one hundred and fifty-six, one hundred and eighty, one hundred and ninety-four, and two hundred and nine, lying between P and Q and Fourteenth and Eighteenth streets, in the District of Columbia, and known by the the names of Madison, Samson, and Sampson, shall hereafter be known and designated as Church street.

Approved, April 22, 1904.

April 22, 1904.
[S. 2878.]

[Public, No. 140.]

District of Columbia.
Assessments for wa-
ter mains, etc.
Post, p. 1043.

Water mains.
Rates of assessment.

Sewers.
Rates of assessment.

Provisos.
Inside lots.

Corner lots.

Previous assess-
ments.

CHAP. 1417.—An Act Authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes.

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, whenever in their judgment the same may be necessary for the public safety, health, comfort, or convenience, to construct water mains and service sewers in any street, avenue, road, or alley in the District of Columbia; and the assessor of said District shall levy assessments for the same against abutting property in the amount and manner hereinafter prescribed.

SEC. 2. That for laying or constructing water mains in the District of Columbia assessments shall be levied at the rate of one dollar and twenty-five cents per linear front foot against all lots or land abutting upon that part of the street, avenue, road, or alley in which a water main shall be laid, and that for laying or constructing service sewers in the District of Columbia assessments shall be levied at the rate of one dollar per linear front foot against all lots or land abutting upon that part of the street, avenue, road, or alley in which a sewer shall be laid: *Provided*, That assessments for water mains and service sewers in the case of lots or parcels of land not more than one hundred feet in depth shall be levied upon the fronts or rears of such lots or parcels of land, and not upon both the fronts and rears of such lots or parcels of land; but lots or parcels of land more than one hundred feet in depth, except corner lots, shall be assessed upon both their fronts and rears when water mains or service sewers are laid abutting the same: *Provided*, That corner lots shall be assessed for water mains and service sewers only on their short fronts with a depth of not exceeding one hundred feet; any excess of the other front over one hundred feet shall be subject to assessment, as hereinbefore provided: *Provided*, That the areas of all lots or parcels of land which have been assessed for water mains by the square foot under any previous

Act of Congress, or of the late legislative assembly of the District of Columbia, shall not be again assessed for water mains: *Provided*, That assessments for water mains or service sewers shall not be levied under this Act against lots or parcels of land not more than one hundred feet in depth which have theretofore been assessed by the linear front feet by authority of any Act of Congress or of the late corporation of Georgetown, and in any assessment or reassessment levied under the provisions of this Act credit shall be allowed for any amount which may have been heretofore paid upon any water main or service sewer assessment levied against the same portion of the area of any lot or parcel of land: *Provided further*, That when the Commissioners of the District of Columbia shall deem it advantageous to lay water mains or service sewers on each side of any street, avenue, road, or alley assessments shall be levied at the rate, within the time and in the manner in this section provided for, against the lots abutting the side of the street, avenue, road, or alley in which the water main or service sewer is laid.

Allowance for paid assessments.

Abutting property only to be assessed.

SEC. 3. That the assessor of the District of Columbia shall give notices as herein provided of the levying of assessments for water mains and service sewers. Assessments shall be levied within sixty days after the completion of the main or service sewer, and the owner or owners affected by such assessments shall be notified that the same have been levied by a notice which shall be served upon the owner of the lot or parcel of land if he or she be a resident of the District of Columbia, and his or her residence be known. If the owner be a non-resident or his or her residence be unknown, the notice shall be served on his or her agent or tenant. The service of such notice, where the owner or his or her agent or tenant resides in the District of Columbia, shall be personal or by leaving the same with some person of suitable age, either a member of his family or in his employ, at the residence or place of business of such owner, agent, or tenant; and return of such service, stating the manner thereof, shall be made in writing under oath and filed in the office of the assessor of the District of Columbia. If there be no agent or tenant known to said assessor, and the owner or owners be not residents of the District of Columbia, or if the owner be a resident of the District of Columbia and can not be found therein, and no person of suitable age as afore-said can be found at his or her residence or place of business, notice shall be given by advertisement once a week for three successive weeks in some daily newspaper published in said District, and in said publication of said notice each several piece of property shall be described in a separate paragraph, and the cost of such advertisement shall be added to the amount of said assessment and collected in the same manner that said assessment is collected.

Notice of levy.

Service of notice. Personal.

Advertisement.

SEC. 4. That assessments for water mains and service sewers shall be payable in three equal installments, the first of which shall be due and payable without interest within thirty days from date of service of notice or of the last publication of notice as the case may be, the second within one year, and the third within two years from the date of assessment, and interest at the rate of six per centum per annum shall be charged on all amounts which shall remain unpaid at the expiration of thirty days from the date of service of notice or last publication as the case may be; but the owner of the property assessed may, at his option, at any time after the levying of such assessment, pay the same in full; and the discount heretofore allowed for payment of assessments for water mains within thirty days from date of service of notice of assessments shall not be allowed hereafter: *Provided*, That if any installment of any assessment for water main or service sewer levied under the provisions of this Act shall not be paid when due and payable the property against which said assessment was

Payment of assessments.

Proviso. Delinquents.

levied may be sold for said delinquent installment at the next ensuing annual tax sale in the same manner and under the same conditions as property sold for delinquent general taxes, if said installment shall not have been paid prior to said sale.

County land not subdivided nonassessable.

Proviso.
Exceptions.

SEC. 5. That property in the county of Washington, not subdivided into blocks or lots, or both, shall not be assessed for water mains or service sewers until subdivided: *Provided*, That where houses are built on any unsubdivided land and connection is made with a water main or service sewer, assessment shall be made as herein provided for in the case of subdivided property by assessing a frontage of fifty feet on each side of said connection with a depth of one hundred feet, except that no double assessment shall be levied; said assessment to be levied within sixty days after said connection is made; and if such unsubdivided land is thereafter subdivided into blocks or lots, such lots shall be assessed as herein provided as to subdivided lands, but the fifty feet on each side of said connection, with a depth of one hundred feet, shall not be again assessed: *Provided further*, That hereafter assessments at the rate and in the manner herein provided for shall be levied against each lot or parcel of land abutting any water main or service sewer in all subdivisions of land, within sixty days after the recording of such subdivision in the office of the surveyor of the District of Columbia, except in cases where said lots or parcels of land have been previously assessed for the same main or service sewer.

All subdivisions assessable.

Exceptions.

Unlevied assessments.

Vol. 30, p. 721.

Reassessment.

SEC. 6. That in all cases where water mains have heretofore been laid and assessments therefor against abutting lots or land not levied pending the introduction of water into such lots or land, under the provisions of an Act of Congress approved July eighth, eighteen hundred and ninety-eight, such assessments shall be levied under the provisions of this Act.

SEC. 7. That the assessor of the District of Columbia is hereby authorized and directed in cases where water-main assessments, or assessments for service sewers, may be quashed, canceled, set aside, or declared void by the supreme court of the District of Columbia, or may otherwise be canceled or set aside, by reason of an imperfect or erroneous description of the lot or parcel of ground against which the same shall have been levied, by reason of such tax or assessment not having been authenticated by the proper officer or by reason of a defective return of service of notice, or for any technical reason other than the right of the authorities of the District of Columbia to levy assessment or lay the main or service sewer in respect of which assessment was levied, to relevy such assessment at the rate and in the manner provided for in this Act: *Provided*, That such reassessment shall be made within sixty days from date of such cancellation.

Proviso.
Time limit.

Disposal of sewer funds.

SEC. 8. That all sums received by the collector of taxes under the provisions of this Act on account of assessments levied for the construction of service sewers shall be credited to the appropriation under which the sewer was constructed for the fiscal year in which such sums shall be received.

Service sewers.

SEC. 9. That a service sewer within the meaning of the provisions of this Act shall be a sewer with which connection may be directly made for the purpose of providing sewerage facilities to abutting property, and such sewers shall be so indicated on the records of the sewer division of the engineer department of the District of Columbia.

Repeal.

SEC. 10. That all Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved, April 22, 1904.

CHAP. 1418.—An Act For the extension of Eighth street northwest, or Wrights road, District of Columbia.

April 22, 1904.
[S. 3454.]

[Public, No. 141.]
District of Columbia.
Extension of Eighth street NW.
Proceedings to condemn land for.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That within thirty days after the passage of this Act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the supreme court of the District of Columbia, sitting as a district court, by petition particularly describing the lands to be taken, a proceeding in rem to condemn the land that may be necessary for the extension of Eighth street northwest, otherwise known as Wrights road, District of Columbia, northward to Irving street, through lot four of Todd and Brown's subdivision, with the full width of said lot.

SEC. 2. That the entire amount found to be due and awarded as damages for and in respect of the land condemned for the extension of Eighth street, or Wrights road, as herein provided shall be assessed by the jury hereinafter provided as benefits, and to the extent of such benefits against those pieces or parcels of land on each side of said Eighth street, or Wrights road, as extended, and also on any or all pieces or parcels of land which will be benefited by the extension of said Eighth street, or Wrights road, as said jury may find said pieces or parcels of land will be benefited; 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 Eighth street, or Wrights road, as aforesaid.

SEC. 3. That the 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 shall 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 award of damages and assessment of benefits of 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 condemned as may be found by said marshal, or his deputies, within the District of Columbia.

SEC. 4. That after the return of the marshal and the filing of proof of publication of the notice provided for in the preceding section, 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 damages each owner of land taken may sustain by reason of the extension of said street and the condemnation of lands for the purposes of such extension, and assess the benefits resulting therefrom as hereinbefore provided. 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

Notice of proceedings.
Advertisement.

Personal notice.

Marshal's jury.

Duties.

Hearing of objections.