

come a law, the governor's objection to the contrary notwithstanding; but in such case, the votes of both houses shall be determined by yeas and nays, and be entered upon the journal of each house respectively. And if the governor shall not return any bill presented to him for approval, after its passage by both houses of the legislative assembly within ten days (Sundays excepted) after such presentation, the same shall become a law, in like manner as if the governor had approved it: *Provided, however,* That the assembly shall not have adjourned sine die during the ten days prescribed as above, in which case it shall not become a law: *And provided further,* That acts so becoming laws as aforesaid shall have the same force and effect and no other, as other laws passed by the Legislature of said Territory.

Approved, July 19, 1876.

Proviso.

Proviso.

July 19, 1876.

CHAP. 213.—An act authorizing the repavement of Pennsylvania avenue.

Commissioners
for paving Penn-
sylvania avenue.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, directed to detail General H. G. Wright and General Q. A. Gilmore, of the Engineer Corps of the Army, who, with Edward Clark, of Washington, District of Columbia, shall form a commission, whose duty shall be to select and determine the best kind of pavement to be used in paving Pennsylvania avenue and all intersections of streets, avenues, and alleys crossing the same, including the triangular spaces directly connecting with the Pennsylvania-avenue pavement, abutting on parts of squares numbered two hundred and fifty-four, two hundred and fifty-six, three hundred and twenty-three, three hundred and forty-eight, and four hundred and eight, but not including the side-walks; and to have said thoroughfare paved therewith from the northwest gate of the Capitol-grounds, to and including the crossing of Fifteenth street west, with such a pavement as they, or a majority of the said commission, may agree upon.

Organization.

Notice for pro-
posals.

Pavement.

Contractor's
bond.

Repairs.

Ten per centum
retained.

Pavement, how
paid for.

Railroad track.

SEC. 2. That within ten days after the passage of this act, or as soon thereafter as may be, the commission named herein shall meet and organize by the election of a president and secretary from among their number, and shall proceed to perform the duties herein imposed upon them; and as soon as practicable, they shall give notice for one week, in a daily paper published in each of the cities of Washington, Philadelphia and New York, for proposals, with full specifications, for paving said avenue: *Provided,* That said pavement shall be of the best material laid in the most substantial manner, and without unnecessary delay; and that a good and sufficient bond to the United States, with sureties, to be approved by the commission, shall be exacted, guaranteeing that the terms of any contract or contracts shall be strictly and faithfully observed, and that the contractor shall keep the said pavement in good repair for the term of three years; and said commission shall retain ten per centum of the cost of the work as an additional security and a guarantee fund to keep the same in repair for the said term, which said per centum shall be invested in the Bonds of the United States and the interest thereon paid to said contractors.

SEC. 3. That the cost of laying down said pavement shall be paid for in the following proportions and manner: The Washington and Georgetown Railroad Company shall bear all of the expense for that portion of the work lying between the exterior rails of the tracks of the road, and for a distance of two feet from and exterior to the track on each side thereof, and of keeping the same in repair; but the said railroad company, having conformed to the grade established by the Commissioners, may use cobble-stone or Belgian rock in paving their tracks, or the space between their tracks, as the commissioners shall direct. The United States shall pay the cost of paving the spaces between its

property and the part of the avenue to be paid for by said railroad company, and one-half of the cost of paving the intersection of the streets and avenues, less that to be paid by the railroad company, and the other half shall be paid out of the revenues of the District of Columbia, and the residue of the cost of such paving shall be paid as follows: One-third by the owners of private property lying and abutting on said Pennsylvania avenue, in proportion to their frontage thereon, as hereinafter provided; one third by the United States; and one-third out of the general revenue of the District of Columbia; and the amount required to pay the part of said cost assumed by the United States shall be paid out of any money in the Treasury not otherwise appropriated; and the amount required to pay the part of said cost charged to the District of Columbia shall also be paid out of any money in the United States Treasury not otherwise appropriated, but the money so paid shall be reimbursed to the Treasury of the United States by the District of Columbia from money derived from taxation upon the warrants or orders of said commission duly audited in the Treasury Department: *Provided*, That the property owners of such parts of squares two hundred and fifty-four, two hundred and fifty-six, three hundred and twenty-three, three hundred and forty-eight, and four hundred and eight, as are abutting upon said pavement, shall be assessed at the same rate per front foot as the owners on Pennsylvania avenue; *And provided further*, That the space between Seventh and Eighth streets, opposite the locality now occupied by the Washington Market Company, shall be paid by the District of Columbia, unless the suit now pending as to the ownership of said ground shall be decided against the said District when the same shall be refunded, with legal interest, by the Washington Market Company to said District.

SEC. 4. That assessments shall be made by the Commissioners of the District of Columbia upon the owners of said private property on said avenue and spaces, and upon said railroad company respectively, provided for in section three of this act, and the sums so found collected by the collector of the District of Columbia, and paid into the Treasury of the United States, where it shall be held as a special fund for the specific purpose herein named; and such fund, together with such sum as shall be found to be due and payable from the United States for its proportion of the cost of said pavement, together with the proportion due from the District of Columbia, shall be paid by the Secretary of the Treasury, on the warrant or order of the commission, or a majority thereof, herein authorized, in such amounts and at such times as they may deem safe and proper in view of the progress of the work.

SEC. 5. That the cost of laying down said pavement exclusive of the work charged to and paid for by the Washington and Georgetown Railroad Company, but including the removal of the present pavement, grading the avenue, and all other work and materials necessary to fully complete said pavement for use, shall not exceed the sum of four dollars and thirty cents per square yard; *Provided* said pavement shall be fully completed and ready for use December first, eighteen hundred and seventy-six.

SEC. 6. That if the Washington and Georgetown Railroad Company, or any private citizen or other corporation or person, shall neglect or refuse to pay the amount assessed for the paving herein authorized, (within thirty days after the notification of such assessment shall have been published in one or more papers printed in the District of Columbia,) in front of, or adjoining their property, when the work so fronting or adjoining their property shall have been completed to the satisfaction of the commission provided for in this act, and assessed by the District of Columbia Commissioners, the said Commissioners of the District of Columbia shall issue certificates of indebtedness against the property, which certificates shall bear interest at the rate of ten per centum per annum until paid, and which, until they are paid, shall remain and be

Appropriation.

Re-imbursement.

Property owners
in certain squares.

Washington Mar-
ket Company.

Assessments, by
whom made.

Deposit in Treas-
ury.

Payments from
Treasury.

Limit of cost.
Post, pp. 207, 223.

Time of comple-
tion.

Default in pay-
ing assessments.

Certificates of in-
debtedness.

- Lien of certificate. a lien upon the property on or against which they are issued. And if the said certificates are not paid within one year, the said Commissioners of the District of Columbia shall, upon the application of the holder thereof, proceed to sell the property against which they are issued, or so much thereof as may be necessary to pay said tax; such sales to be first duly advertised, daily, for one week, in some newspaper published in the city of Washington, and to be made at public auction to the highest bidder; and a deed given by the said Commissioners of the District of Columbia in pursuance hereof shall be deemed and held to be a good and perfect title to any property bought at such sale hereby authorized: *Provided*, That the owner of said real estate shall have the right to redeem the property sold by paying the amount of purchase-money and ten per centum, with costs, on the amount of the said purchase, within one year from the date of the sale.
- Sale of property on non-payment of certificate.
- Redemption.
- Certain portion not to be repaved, unless, etc. SEC. 7. That the said paving-commission shall not repave that portion of Pennsylvania avenue between Ninth and Tenth streets on the north side of the railroad-track, unless it may be necessary for them so to do to perfect the whole system. Where street-railroads cross Pennsylvania avenue, the pavement between their tracks shall conform to the kind of pavement used on the said avenue; and the companies owning these intersecting railroads shall pay for paving the same in the same manner and proportion as is required, by section three, of the Georgetown and Washington Railroad Company.
- Intersecting railroads.
- Water and gas mains, etc. SEC. 8. That it shall be the duty of the Commissioners of the District of Columbia to see that all water and gas mains service-pipes, and sewer-connections are laid without delay to the contractors before the pavement authorized by this act is put down; and it shall be the duty of the board of water-commissioners and of the Washington Gas-Light Company, under the direction of the said paving-commissioners, to take up, lay, and replace all gas-pipes, water-mains, and connections on said Pennsylvania avenue, at such time and places as said paving-commission may direct; and the old wood paving-blocks, which are required to be removed under this act, shall be delivered to the said Commissioners of the District of Columbia for such use or disposition as they may see fit to make.
- Wooden paving-blocks.
- Appropriation. SEC. 9. That the sum of three thousand dollars is hereby appropriated out of any money in the Treasury of the United States not heretofore appropriated, and a like amount is directed to be paid by the District of Columbia Commissioners to the said paving-commission, to defray the necessary expenses of said commission.
- Expenses of commission.
- Approved, July 19, 1876.

July 19, 1876.

CHAP. 214.—An act for changing the name of the steam-propeller "Senator Mike Norton" to "America."

Name of steamer "Senator Mike Norton" changed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized and directed to change the name of the steam-propeller "Senator Mike Norton" to "America," and grant a new register for the same.

Approved, July 19, 1876.

July 21, 1876.

CHAP. 220.—An act to provide for the sale of the Fort Kearney military reservation in the State of Nebraska.

Whereas the tract of land in the State of Nebraska known as the Fort Kearney military reservation is no longer needed or used for military purposes, and has been abandoned by the military authorities: Therefore,