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—during residence in State soldiers' home.

there is no wife, to the legal guardian of the child or children: *Provided further*, That when a soldier or sailor enters into a State home for soldiers or sailors as an inmate thereof, one-half of his pension accruing during his residence therein shall be paid to his wife, she being a woman of good moral character and in necessitous circumstances, or if there be no wife, then to his child or children under sixteen years of age, or his permanently helpless and dependent child, if any, unless such wife and children shall also be inmates of the same institution or of some home provided for the wives and children of soldiers and sailors: *Provided further*, That if any such pensioner is or shall become an inmate of a National Soldiers' Home one-half of the pension drawn in his behalf or to which he may become entitled during his residence therein shall be paid by the treasurer of that institution to such pensioner's wife, she being in necessitous circumstances and a woman of good moral character, or, if there be no wife, to the legal guardian of the minor child or children, or the permanently dependent and helpless child or children of such pensioner, on the order of the Commissioner of Pensions: *Provided further*, That hereafter no pension under any law of the United States shall be granted, allowed, or paid to the widow of a soldier, sailor, officer, naval or military, marine, marine officer, or any other male person entitled to a pension under any law of the United States, unless it shall be proved and established that the marriage of such widow to the soldier, sailor, officer, marine, or other person on account of whose service the pension is asked, was duly and legally contracted and entered into prior to the passage of this Act, or unless such wife shall have lived and cohabited with such soldier, sailor, officer, marine, marine officer, or other person continuously from the date of the marriage to the date of his death, or unless the marriage shall take place hereafter and prior to or during the military or naval service of the soldier, sailor, officer, marine, or other person on account of whose service the pension is asked or claimed. This proviso shall not apply to or affect the widow of any soldier, sailor, marine, officer, or marine officer serving or who has served in the war between the United States and the Kingdom of Spain.

—National Soldiers' Home.

Payment of pensions to widows; conditions, etc.

Regulations, etc.

In all cases the questions of desertion, entrance into a home, necessitous circumstances, and of good moral character shall be ascertained and determined by the Commissioner of Pensions under such rules and regulations as he shall prescribe, and the treasurers or governors of the several soldiers' and sailors' homes shall be advised of such action from time to time.

Approved, March 3, 1899.

March 3, 1899.

CHAP. 461.—An Act For the extension of Pennsylvania avenue southeast, and for other purposes.

District of Columbia. Extension of Pennsylvania avenue SE.

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 extend and open Pennsylvania avenue southeast to the District line, the same to be on a straight extension and of the same width of said avenue as now established, and to fix and establish the grades of the extension herein provided for within sixty days from the approval of this Act.

Condemnation proceedings.

SEC. 2. That said Commissioners shall, within thirty days from the date on which the grades on the extension herein provided for have been fixed and established according to the requirements of this Act, institute by petition a proceeding in the supreme court of the District of Columbia, holding a district court of the United States for said District, for the condemnation of a permanent right of way for the public over all the land lying within the limits of the aforesaid extension not already owned by the United States or the District of Columbia, excepting also all lands that may be dedicated to the public use for the said highway and the extension thereof.

Damages assessed against abutting property.

That of the amount found due and awarded as damages for and in respect of the land condemned under this section for the opening and extending of said street one-half thereof shall be assessed by the jury in said proceedings against the pieces and parcels of land situate and lying upon each side of said Pennsylvania avenue extended, and also on any or all adjacent pieces or parcels of land which in the judgment of the jury will be benefited by the said extension as herein provided.

Extension of Staughton street.

SEC. 3. That within ninety days after the approval of this Act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute by a petition in the supreme court of the District of Columbia, sitting as a District court, a proceeding to condemn the land necessary for the extension of Staughton street from its present terminus westward through block one of the Meridian Hill subdivision to Columbia avenue with a uniform width of sixty-five feet.

That of the amount found due and awarded as damages for and in respect of the land condemned under this Act for the extension of said street, one half thereof shall be assessed by said jury in said proceedings against those pieces or parcels of ground abutting on both sides of Staughton street and the extension thereof as herein provided.

Extension of Eckington place.

SEC. 4. That within ninety days after the passage of this Act the Commissioners of the District of Columbia are hereby authorized and directed to institute by a petition in the supreme court of the District of Columbia, sitting as a District court, a proceeding to condemn the land necessary for the extension of Eckington place, between Q street and Florida avenue, to a full width of sixty feet by acquiring the necessary land below Q street on the west side of said Eckington place.

That of the amount found due and awarded as damages for and in respect of the land condemned under this Act for the widening of the said Eckington place, one-half thereof shall be assessed by said jury in said proceedings against those pieces or parcels of ground abutting that portion of the street to be opened and extending to a depth of two hundred feet from the westerly building line of said Eckington place.

Extension of Sherman avenue.

SEC. 5. That within ninety days after the approval of this Act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute by a petition in the supreme court of the District of Columbia, sitting as a District court, a proceeding to condemn the land necessary for the extension and widening of Sherman avenue from Florida avenue to Whitney avenue with the uniform width of one hundred feet.

That of the amount found due and awarded for damages for and in respect of the land condemned under this Act for the extension and widening of said Sherman avenue not less than one-half thereof shall be assessed by said jury in said proceedings against those pieces or parcels of ground abutting on both sides of Sherman avenue, and the extension thereof as herein provided, to a distance of three hundred feet from the building lines on the east and west sides of Sherman avenue as widened and extended: *Provided*, That no assessment shall be made against those pieces or parcels of ground out of which land has already been dedicated to the District of Columbia for the purpose of widening Sherman avenue as herein provided for.

Extension of Twentieth street.

SEC. 6. That within ninety days after the approval of this Act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute by a petition in the supreme court of the District of Columbia, sitting as a District court, a proceeding to condemn the land necessary for the extension of Twentieth street southerly from Wyoming avenue to Columbia road, including the triangular-shaped piece of land bounded by the east line of Twentieth street thus extended, the south line of Wyoming avenue, and the west line of Columbia road.

That of the amount found due and awarded for damages for and in respect of the land condemned under this Act for the extension of said Twentieth street not less than one-half thereof shall be assessed by said jury in said proceedings against those pieces or parcels of land

situate and lying upon each side of said Twentieth street between Wyoming avenue and Columbia road, and also on any or all adjacent pieces or parcels of land which will be benefited by the said extension as herein provided.

Extension of Fifth street.

SEC. 7. That within thirty days after the dedication to the District of Columbia of sufficient land to open Elm street from Linden street to Fifth street the Commissioners of the District of Columbia be, and they are hereby, directed to institute by a petition in the supreme court of the District of Columbia, sitting as a District court, a proceeding to condemn the land necessary for the extension of Fifth street, Le Droit Park, between Elm street and Wilson street, a distance of one square.

That of the amount found due and awarded as damages for and in respect of the land condemned under this Act for the extension of Fifth street not less than 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 Fifth street between Pomeroy street and Spruce street, including the lots abutting on the said Fifth street, as extended.

Extension of Howard avenue.

SEC. 8. That the Commissioners of the District of Columbia are hereby authorized and directed to institute by a petition in the supreme court of the District of Columbia, sitting as a District court, a proceeding to condemn the land necessary for the extension of Howard avenue through lot numbered one hundred and thirty and one-half, in Chapin Brown's subdivision of Mount Pleasant and Pleasant Plains, within thirty days from the passage of this Act.

That of the amount found due and awarded as damages for and in respect of the land condemned under this Act for the widening of said avenue, one-half thereof shall be assessed by said jury in said proceedings against blocks two, three, four, five, and six of Chapin Brown's subdivision of Ingleside, and against lots one hundred and twenty-two to one hundred and forty-four, inclusive, of Chapin Brown's subdivision of Mount Pleasant and Pleasant Plains.

Condemnation proceedings.
R. S. D. C., chap. 11, pp. 29 and 30.

SEC. 9. That the proceedings for the condemnation of the lands as provided for in this Act shall be under and according to the provisions of chapter eleven 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; and to provide the necessary funds for the cost of such condemnation proceedings the sum of three thousand five hundred dollars is hereby appropriated out of the funds of the District of Columbia: *Provided*, That each juror shall receive a compensation of five dollars per day for his services during the time he shall be actually engaged in such services under the provisions of this Act: *And provided further*, That no appeal by any interested party from any decision of the supreme court of the District of Columbia confirming said assessment or assessments shall delay or prevent the payment of said awards in respect to the property condemned.

Provisos.
Jurors' fees.

Appeals not to delay awards.

Payments.

SEC. 10. 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 of Columbia.

Considerations of value.

SEC. 11. That the sums to be assessed against each lot and piece and 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 said lots and the benefits that they may receive from the extension of said avenue and highway.

Assessments, how collected, etc.

SEC. 12. That when confirmed by the court the assessments 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 installments, with interest at the rate of four per

centum per annum until paid. 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 streets or highways, 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.

Roadway Pennsylvania avenue SE.

SEC. 13. That when the Commissioners of the District of Columbia shall have taken possession of the pieces or parcels of ground in respect to which such judgment condemning the right of way shall have been entered under the provisions of sections one and two of this Act, it shall be their duty to cause a roadway of said Pennsylvania avenue southeast, as extended under the provisions herein, of such width and character of construction as in their judgment may be suitable, to be graded and regulated as soon as practicable thereafter.

Confirmation of assessments to precede payment of awards.

SEC. 14. That payment of the awards made in respect of the property condemned shall not be made until the assessments herein provided for shall have been made against the aforesaid property and duly confirmed.

Approved, March 3, 1899.

CHAP. 462.—An Act To redeem certain outstanding certificates issued by the board of audit and the board of public works of the District of Columbia.

March 3, 1899.

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 receive and audit certificates of indebtedness numbered four thousand and ninety-eight, four thousand and ninety-nine, four thousand one hundred, four thousand one hundred and one, four thousand one hundred and two, four thousand one hundred and three, four thousand one hundred and five, and four thousand one hundred and six, in the sum of fifty dollars each, issued by the treasurer of the late board of public works of the District of Columbia, and now held by W. D. Williams, for the redemption of which there is no existing law, and to pay to him the amount respectively found due on such certificates, including interest thereon at the rate of three and sixty-five one-hundredths per centum per annum from the date of issue to December thirty-first, eighteen hundred and eighty. A sufficient amount to pay the principal and interest of the certificates hereinbefore mentioned is hereby appropriated, one-half from the revenues of the District of Columbia and one-half from any money in the Treasury not otherwise appropriated.

District of Columbia. Redemption authorized of outstanding certificates of board of public works, etc.

Appropriation, etc.

SEC. 2. That the Commissioners of the District of Columbia are hereby authorized and directed to receive and audit certificates of indebtedness numbered forty-three hundred and fifty-two (sewer bond), of the sum of one hundred dollars; numbered forty-seven hundred and forty-six (sewer bond), of the sum of fifty dollars; numbered twenty-nine hundred and ten (sewer bond), of the sum of fifty dollars; numbered twenty-six hundred and twenty-four, of the sum of one hundred dollars, issued by the auditor or treasurer of the late board of public works of the District of Columbia. Also, certificates of indebtedness numbered thirty-five hundred and forty-eight, in the sum of twenty-one dollars and sixty cents; numbered sixty-two hundred and sixty-seven, in the sum of forty-four dollars and eighty-seven cents; numbered five hundred and seventy-eight, in the sum of twenty-six dollars and sixty-one cents; numbered fifty-five hundred and seventy, in the sum of thirty-one dollars and thirty-four cents; numbered thirteen thousand four hundred and fifty-six, in the sum of four dollars and ninety cents; numbered fifteen thousand six hundred and seventy-six, in the sum of ten dollars and seventy-two cents; numbered fifteen thousand six hundred and seventy-seven, in the sum of six dollars and eighty-seven cents; numbered fifty-two hundred and seventy-nine, in