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ment or assessments of benefits or damages 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 of award to others in respect to the property condemned, nor delay or prevent the taking of any of said property sought to be condemned, nor the opening of such street: *Provided, however*, That upon the final determination of said appeal or other proceeding at law or in equity the amount found to be due and payable as damages sustained by reason of the extension of said street under the provisions hereof shall be paid as hereinbefore provided.

Proviso
Payment of final decision.

Approved, March 3, 1905.

March 3, 1905.
[S. 2605.]
[Public, No. 143.]

CHAP. 1410.—An Act To authorize the appointment of Acting Assistant Surgeon Leopold Herbert Schwerin, United States Navy, as an assistant surgeon in the United States Navy.

Navy.
Appointment of Leopold Herbert Schwerin as assistant surgeon in, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint Acting Assistant Surgeon Leopold Herbert Schwerin, United States Navy, as an assistant surgeon in the United States Navy, with the rank of lieutenant (junior grade), to take rank and position at the foot of the list, whenever, before the expiration of his present acting commission, he shall successfully pass the examination prescribed by law for the appointment of medical officers of this grade.

Examination.

Approved, March 3, 1905.

March 3, 1905.
[S. 2697.]
[Public, No. 144.]

CHAP. 1411.—An Act To amend an Act authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, Pennsylvania, to commemorate the valorous deeds of certain regiments and batteries of the United States Army.

Gettysburg National Park.
Erection of monuments to Regular Army regiments, etc.
Vol. 32, p. 838, amended.
Battery E, Fourth Artillery, added.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, in the State of Pennsylvania, to commemorate the valorous deeds of certain regiments and batteries of the United States Army, approved the eighteenth of February, nineteen hundred and three, be, and hereby is, amended by adding to the names of batteries therein mentioned Battery E, Fourth United States Artillery. And for the purpose of carrying out the provisions of said Act as hereby amended the sum of one thousand five hundred dollars is hereby appropriated out of any money not otherwise appropriated.

Appropriation.

Approved, March 3, 1905.

March 3, 1905.
[S. 3343.]
[Public, No. 145.]

CHAP. 1412.—An Act To authorize the Anacostia, Surrattsville and Brandywine Electric Railway Company to extend its street railway in the District of Columbia.

District of Columbia.
Anacostia, Surrattsville and Brandywine Electric Railway Company may extend line in.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Anacostia, Surrattsville and Brandywine Electric Railway Company, a body incorporated under the laws of the State of Maryland, be, and it is hereby, authorized to extend its line of street railway within the District of Columbia, with single or double tracks, equip and operate the same for the carry-