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Nonresident owners.

provided; or (f) in case any owner be a nonresident of the District of Columbia, then after public notice by said Commissioners given at least twice a week for one week in one newspaper published in the District of Columbia, by advertisement, describing the property, specifying the nuisance to be abated. Any notice required by law or by any regulation aforesaid to be served on a corporation shall for the purposes of this Act be deemed to have been served on any such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right; and, if required to be served on any foreign corporation, if served on any agent of such corporation personally, or if left with any person of suitable age and discretion residing at the usual residence or employed at the place of business of such agent in the District of Columbia. Every notice aforesaid shall be in writing or printing, or partly in writing and partly in printing; shall be addressed by name to the person to be notified; shall describe with certainty the character and location of the unlawful condition to be corrected, and shall allow a reasonable time to be specified in said notice, within which the person notified may correct such unlawful condition or show cause why he should not be required to do so.

Form of notice.

Inconsistent Acts, etc., repealed.

"SEC. 6. That all Acts and parts of Acts inconsistent with this Act, be, and the same are hereby, repealed."

Approved, April 5, 1935.

[CHAPTER 42.]

AN ACT

April 5, 1935.
[S. 406.]
[Public, No. 25.]

To amend an Act approved May 1, 1906, entitled "An Act to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes."

District of Columbia Code, amendment.
Vol. 34, pp. 158, 160, 161.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 7, 14, and 15 of the Act approved May 1, 1906, entitled "An Act to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes", are hereby amended to read as follows:

Condemned buildings.
Removal conditioned on repair costs.

"SEC. 7. That the owner or owners of any building or buildings condemned under the provisions of this Act, which cannot be so changed or repaired as to remedy the condition which led to the condemnation thereof, where the repairs and/or alterations necessary to remedy the conditions which led to the condemnation thereof cannot be made at a cost not greater than 50 per centum of the present reproduction cost of said building as may be agreed upon by a majority of said Board, shall demolish and remove such building or part of building within the time to be specified by said board in the order of condemnation. And if any owner or part owner shall fail or refuse to demolish and remove said building or part of building within the time so specified he shall be deemed guilty of a misdemeanor and liable to the penalties provided by section 13 of this Act, and such building or part of building shall be demolished and removed under the direction of the Board for the condemnation of insanitary buildings in the District of Columbia, and the cost of such demolition and removal, less the amount, if any, received from the sale of the old material, but including the cost of making good such damage to adjoining premises as may have resulted from carelessness or willful recklessness in the demolition of such building and the cost of publication, if any, herein provided for, shall be

Failure to remove; penalty.

Vol. 34, p. 160.

Assessment of costs.

assessed by the Commissioners of the District of Columbia as a tax against the premises on which such building or part of building was situated, such tax to be collected in the same manner as general taxes are collected in the District of Columbia.

Proceedings to vacate condemnation order.

"SEC. 14. That the owner or owners of any building or part of building condemned under the provisions of this Act may, within the time specified in the order of condemnation, institute proceedings in the Supreme Court of the District of Columbia, sitting as a district court, for the modification or vacation of the order of condemnation aforesaid, and the court shall give precedence to any such case, and is authorized to issue such orders and decrees as may be necessary to carry into effect the said order of condemnation as made by the Board or as modified by the court in accordance with the verdict returned as hereinafter directed. The court shall appoint a jury consisting of three disinterested persons, one of whom shall be an architect, the second, a physician or a health-officer, and the third, either a structural engineer or a competent builder, each of whom shall have the qualifications of jurors in the District of Columbia, and who, after taking the oath required of jurors in the trial of civil causes, shall proceed under the direction of the court to inspect the premises and to hear and receive evidence respecting the sanitary condition, state of repair, and state of depreciation of such building or part of building aforesaid, the present reproduction value thereof, the fitness and suitability of such building or part of building for occupancy, and the cost to place said building or part of building in a proper and lawful condition for occupancy. In such proceedings the owner or owners of the building or part of building condemned shall be considered the plaintiff and the Board shall be considered the defendant. After inspecting the premises and hearing and considering all of the testimony as hereinbefore provided, the said jury shall return to the court its verdict on a prepared form which shall contain the following questions to be answered by them:

Jury; appointment, qualifications.

Duties.

Verdict; form, contents.

"1. Condition of the building or part of buildings:

"(a) As to sanitation; and

"(b) As to state of repair.

"2. Can the building or part of building condemned be repaired and placed in a proper and lawful condition for occupancy and made to comply with all laws and regulations in force in the District of Columbia relating to buildings without exceeding 50 per centum of the present reproduction cost of such building or part of building?

"3. Is the building or part of building subject to condemnation?

Decrees of court.

"1. If the jury shall find that the building or part of building sought to be condemned should not be condemned or ordered to be repaired they shall so report to the court, who shall enter a decree directing the vacation of the order of the Board.

"2. If the jury shall find that the building or part of building is subject to condemnation and cannot be repaired and put in a safe, sanitary, and usable condition and made to comply with all laws and regulations in force and effect in the District of Columbia relating to buildings therein, they shall so report to the court who shall enter a decree directing compliance by the plaintiff with the order of the Board.

"3. If the jury shall find that the building or part of building can be repaired and put in a safe, sanitary, and usable condition, and made to comply with all laws and regulations in force and effect in the District of Columbia relating to buildings they shall so report to the court, who shall enter an order directing the plaintiff within a reasonable time to cause the said building or part of

building to be put in a safe, sanitary, and usable condition and made to comply with all the laws and regulations relative to buildings in the District of Columbia, and in the event of the failure or neglect of the plaintiff to cause the repairs or alterations necessary to be made to comply with the order of the court and the provisions of this Act, the Board shall inform the court of such fact and the court shall thereupon enter an order requiring the removal of the said building or part of building. Unless cause be shown to the court within ten days from the filing of said verdict of removal why the same should not be confirmed, the court shall ratify and confirm the same and cause judgment thereon to be entered accordingly, all the costs of the proceeding to follow the judgment. The Commissioners of the District of Columbia, or their duly authorized agents, shall proceed with the removal of the building or parts of building, as ordered by the court, and the cost of removing the building or part of building, including the cost of making good such damage to adjoining premises as may have resulted in such removal, and the cost of publication, if any may be necessary, authorized by section 10 of this Act, shall be assessed against the real estate upon which said building or part of building stood, should the owner at his expense fail to remove the same within such time as may be fixed by the court in the order confirming the verdict of said jury.

Removal of building on failure to comply with order of court.

Assessment of costs.

Jury fees.

"Each member of the jury appointed by the court as aforesaid shall receive for each day's attendance the sum of $8 to be included as part of the cost of the proceedings.

Payment of expenses.

"SEC. 15. Except as herein otherwise authorized all expenses incident to the enforcement of this Act shall be paid from appropriations made from time to time for that purpose in like manner as other appropriations for the expenses of the District of Columbia."

Approved, April 5, 1935.

[CHAPTER 43.]

AN ACT

To change the designation of Leffler Place to Second Place.

April 5, 1935.
[H. R. 4538.]
[Public, No. 26.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the street designated as Leffler Place Northwest, running north from Oglethorpe Street to Peabody Street Northwest, be, and the same is hereby, changed to Second Place, thereby conforming to the general practice in the naming of short streets of this character in the District of Columbia.

District of Columbia. Name of Leffler Place changed to Second Place.

Approved, April 5, 1935.

[CHAPTER 44.]

JOINT RESOLUTION

April 5, 1935.
[S. J. Res. 24.]
[Pub. Res., No. 10.]

To authorize the acceptance on behalf of the United States of the bequest of the late Charlotte Taylor of the city of Saint Petersburg, State of Florida, for the benefit of Walter Reed General Hospital.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the commanding officer Walter Reed General Hospital be, and is hereby, authorized to accept the bequest of the late Charlotte Taylor, of the city of Saint Petersburg, State of Florida, as contained in her last will and testament and such interest as may have accrued on the funds covered by such bequest, and to receipt therefor on behalf of the United States, and to deposit the funds so received in the Treasury of the United States as a special fund dedicated to the

Charlotte Taylor. Acceptance of bequest of, for benefit of Walter Reed Hospital authorized.