

**CHAP. 459.**—An Act To quiet land titles in 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 in all cases when the title or claim of any person out of possession of any real estate in the District of Columbia shall be barred by adverse possession, and the title thereto has vested in the party in possession or the party under whom he claims, the party holding a title which has vested by adverse possession may file a bill in equity, in the supreme court of the District of Columbia, to have his title thereto perfected; and it shall be sufficient for him to state in his petition that he holds the title to such real estate and that the same has vested in him, or those under whom he claims, by adverse possession. And in such action it shall not be necessary to make any person a party defendant, except such persons as may appear to have a claim or title adverse to that of the plaintiff. And upon the trial of such cause proof of the facts showing a title in the plaintiff by adverse possession shall entitle him to a decree of the court declaring his title by adverse possession, and a copy of such decree may be entered of record in the office of the recorder of deeds for said District. And in any such action service of process may be had, as provided in sections seven hundred and eighty-seven, seven hundred and eighty-eight, and seven hundred and eighty-nine of the Revised Statutes, relating to the District of Columbia. And if in any case an adverse claimant shall be dead, then the heirs, devisees, or alienees of such person, or those claiming by, through, or under him, if known, shall be made defendants as adverse claimants, and if they be unknown to the plaintiff, then he shall allege in his petition, under oath, that there are, or he verily believes that there are, persons interested in the subject-matter of the petition as heirs or devisees of the deceased, or as claiming by, through, or under him or them, whose names he can not insert therein because they are unknown to him, and shall describe the interest of such person and how derived, so far as his knowledge extends, and service of process on such unknown persons shall be had by designating them in the published notice as the unknown heirs, devisees, or alienees of the last known owner or claimant of the title; and when such service shall be had a decree shall be rendered the same as though personal service had been had: *Provided*, The rights of infants, or others under legal disability shall be saved for a period of two years after the removal of their disabilities: *Provided, however*, That the entire period during which such rights shall be preserved shall not exceed twenty-two years from the time such rights accrued either in said claimant or in the person or persons under whom he claims.

District of Columbia.  
Perfection of title under adverse possession.

Petition, etc.

Decree.

Service of process.  
R. S. D. C., secs. 787, 788, 789, pp. 93-94.

Death of adverse claimant.

*Provisos.*  
Preservation of rights of infants.—limit of time.

Approved, March 3, 1899.

**CHAP. 460.**—An Act To amend section forty-seven hundred and sixty-six of the Revised Statutes of the United States.

March 3, 1899.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section forty-seven hundred and seventy-six, Title fifty-seven, of the Revised Statutes of the United States be, and the same is hereby, amended by adding thereto the following additional provisions and provisos, to wit: *Provided further*, That in case a resident pensioner of the United States shall for a period of over six months desert his lawful wife, she being a woman of good moral character and in necessitous circumstances, or, if he have no lawful wife, shall desert his legitimate minor child or children under sixteen years of age, or his permanently helpless and dependent child, the Commissioner of Pensions is hereby directed, upon being satisfied by competent evidence of such desertion, to cause one-half of the pension due or to become due said pensioner during the continuance of such desertion to be paid to the wife, or in case

Payment of part of pension to family of pensioner during his desertion.  
R. S., sec. 4, 766p. 927, amended.

—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.