

ment of said projected alley compatible with the interests of the public: *Provided, however,* That said abandonment shall only be made upon the petition of a majority of the residents and owners of the property in said square.

On petition of owners, etc.

SEC. 2. That the Commissioners shall take steps to recover into the treasury of the District of Columbia any damages paid to any person or persons occupying or owning property in said square, where the property of said person or persons has been in no manner interfered with or damaged; and that, upon such recovery, said Commissioners shall refund any benefits assessed against any person or persons owning or occupying property in said square, provided such benefits shall have been paid.

Damages to be recovered.

Benefits to be refunded.

Approved, May 25, 1876.

CHAP. 118.—An act making certain transfers of appropriations in the provisions for the contingent expenses of the Department of Justice for the current year.

June 2, 1876.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provision for the Contingent Expenses of the Department of Justice, in the act approved March third one thousand eight hundred and seventy-five, making appropriations for the legislative, executive and judicial expenses of the government for the year ending June thirtieth, one thousand eight hundred and seventy-six, be amended by transferring to the appropriation for miscellaneous expenditure the following sums, from from other specific appropriations, to wit: three hundred dollars from the appropriation for "furniture and repairs" three hundred dollars from the appropriation for "care and subsistence of horses," and two hundred dollars from the appropriation for "repairs to carriages and harness," making the amount so transferred, eight hundred dollars.

1875, ch. 129, 18, Stat., 369.

Transfer of appropriations for Department of Justice authorized.

Approved, June 2, 1876.

CHAP. 119.—An act to permit the judge of the district court of the United States for the western district of Pennsylvania to retire.

June 2, 1876.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of section seven hundred and fourteen of the Revised Statutes be, and are hereby, extended and made applicable to Wilson McCandless, judge of the district court of the United States for the western district of Pennsylvania, in consequence of his physical disability, notwithstanding he has not attained the age of seventy years: *Provided,* That the said McCandless shall resign his office within six months next after the passage of this act.

R. S., 714, p. 135, extended to Wilson McCandless.

Proviso.

Approved, June 2, 1876.

CHAP. 120.—An act granting a site for an observatory to the trustees of the Lick Observatory of the astronomical department of the University of California.

June 7, 1876.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whereas James Lick, of San Francisco, California, has, by deed of trust, given a large sum of money for the erection and equipment of an observatory, dedicating the same to the astronomical department of the University of California for scientific and educational purposes, and has selected Mount Hamilton, in the county of Santa Clara, and State aforesaid, as the site for said observatory, and which is situate on the public lands of the United

Site for Lick Observatory reserved from sale.