

Coal dust.

proportion for a greater number, which air shall by proper appliances or machinery be forced through such mine to the face of each and every working place, so as to dilute and render harmless and expel therefrom the noxious or poisonous gases. Wherever it is practicable to do so the entries, rooms, and all openings being operated in coal mines shall be kept well dampened with water to cause the coal dust to settle, and that when water is not obtainable at reasonable cost for this purpose accumulations of dust shall be taken out of the mine, and shall not be deposited in way places in the mine where it would be again distributed in the atmosphere by the ventilating currents: *Provided*, That all owners, lessees, operators of, or any other person having the control or management of any coal shaft, drift, slope or pit in the Indian Territory, employing twenty or more miners to work in the same, shall employ shot firers to fire the shots therein. Said shots shall not be fired to exceed one per day; at twelve o'clock noon in cases where the miners work but half a day, and at five o'clock in the evening when the mine is working three-quarters or full time, and they shall not be fired until after all miners and other employees working in said shafts, drifts, slopes or pits, shall be out of same. The violation of this Act shall constitute a misdemeanor and any person convicted of such violation shall pay a fine of not exceeding five hundred dollars."

Penalty for violation.

Time of firing shots.

Employment of shot firers in Indian Territory.

proviso.

Approved, July 1, 1902.

July 1, 1902.

[Public, No. 223.]

CHAP. 1357.—An Act To prevent a false branding or marking of food and dairy products as to the State or Territory in which they are made or produced.

Dairy and food products.
False labeling of place of origin forbidden.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no person or persons, company or corporation, shall introduce into any State or Territory of the United States or the District of Columbia from any other State or Territory of the United States or the District of Columbia, or sell in the District of Columbia or in any Territory any dairy or food products which shall be falsely labeled or branded as to the State or Territory in which they are made, produced, or grown, or cause or procure the same to be done by others.

Penalty for violation.

SEC. 2. That if any person or persons violate the provisions of this Act, either in person or through another, he shall be guilty of a misdemeanor and shall be punished by a fine of not less than five hundred nor more than two thousand dollars; and that the jurisdiction for the prosecution of said misdemeanor shall be within the district of the United States court in which it is committed.

Approved, July 1, 1902.

July 1, 1902.

[Public, No. 224.]

CHAP. 1358.—An Act To amend an Act entitled "An Act in relation to taxes and tax sales in the District of Columbia," approved February twenty-eighth, eighteen hundred and ninety-eight.

District of Columbia.
Sale of land for taxes in arrears.
Vol. 30, p. 250, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act entitled "An Act in relation to taxes and tax sales in the District of Columbia," approved February twenty-eighth, eighteen hundred and ninety-eight, be, and the same is hereby, amended to read as follows:

List of property in arrears.

"That the assessor of the District of Columbia shall prepare a list of all taxes on real property in said District subject to taxation on which said taxes are levied and in arrears on the first day of July of each year hereafter; and the Commissioners of said District shall fix

date of sale and publish the said list, with notice of sale, in a pamphlet, of which not less than two thousand copies shall be printed for distribution to taxpayers applying therefor. That the said Commissioners shall give notice, by advertising twice a week for three successive weeks, beginning on the third Monday in February of each year hereafter, in the regular issue of three daily newspapers published in said District, that the said pamphlet has been printed and that a copy thereof will be delivered to any taxpayer applying therefor at the office of the collector of taxes of said District; and if the taxes due, together with the penalties and costs that may have accrued thereon, shall not be paid prior to the day fixed for sale, the property will be sold, under the direction of the Commissioners of the District of Columbia, at public auction at the office of the said collector of taxes, commencing at least three weeks after the first publication of said notice and continuing on each following day, Sundays and legal holidays excepted, until all said delinquent property is sold; a description sufficient to identify the property shall be considered a proper description.

Time of notice.

Auction sale.

Sale.

Bid for District.

“SEC. 2. That upon the day specified aforesaid the Commissioners shall proceed to sell or cause to be sold any and all property upon which such taxes remain unpaid, and continue to sell the same every secular day until all the real property as aforesaid shall have been brought to auction and sold. In case no other person bids the amount due, together with penalties and costs, on any lot, the said collector of taxes shall bid the amount due, together with penalties and costs, on the same and purchase it for the District.

Deposit by purchaser.

Date of full payment.

Forfeit of deposit.

Certificate of sale.

“SEC. 3. That the collector of taxes shall require from every purchaser of property sold as aforesaid a deposit sufficient, in his judgment, to guarantee a full and final settlement for such purchase. Every purchaser other than the District of Columbia at any sale of property as aforesaid shall pay the full amount of his bid, including surplus, if any, to the collector of taxes within five days after the last day of sale, and in case such payment is not made within the time specified the deposit of the person so failing to make payment shall be forfeited to the District of Columbia, and said collector of taxes shall then issue the certificate of sale for such property to the next highest bidder, and if payment of the amount of the bid of said next highest bidder be not made within two days thereafter, the Commissioners of the District of Columbia shall set aside both sales for which the bids were made; and the said collector of taxes shall thereupon be held to have bid the amount due on the said lot and to have purchased it for the District. Immediately after the close of the sale, upon payment of the purchase money, the said collector of taxes shall issue to the purchaser a certificate of sale, and if the property shall not be redeemed by the owner or owners thereof within two years from the last day of sale, by payment to the collector of taxes of said District, for the use of the legal holder of the certificate, the amount for which it was sold at such sale, exclusive of surplus, and twelve per centum per annum thereon, a deed shall be given by the Commissioners of the District, or their successors in office, to the purchaser at such tax sale, his heirs or devisees, or to the assignee of such certificates, which deed shall be admitted and held to be prima facie evidence of a good and perfect title in fee simple to any property bought at said sale herein authorized: *Provided*, That no deed shall be issued until all taxes and assessments appearing upon the tax books against the property are paid, with penalties, interests, and costs, including taxes for the years for which the District purchased the property at tax sale: *Provided*, That no property advertised as aforesaid shall be sold upon any bid not sufficient to meet the amount of tax, penalty, and costs; but in case the highest bid upon any property is not sufficient to meet the taxes,

Deed.

Proviso.
Payment before deed issues.

Property not to be sold for less than tax, etc.

Bids by the District.

penalties, and costs thereon said property shall thereupon be bid off by the said collector of taxes, in the name of the District of Columbia; but the property so bid off shall not be exempted from assessment and taxation, but shall be assessed and taxed as other property; and if within two years thereafter such property is not redeemed by the owner or owners thereof, or their legal representatives, by the payment of the taxes, penalties, and costs due at the time of the sale and that may have accrued after that date, and eight per centum per annum thereon, or if any property two years after having been so bid off at any sale in the name of said District under this Act or any other law in force is not or has not been so redeemed as aforesaid (unless it shall be shown that the sale for taxes was irregular and void), then the Commissioners of the District, or their successors, shall, in the name of and on behalf of the District of Columbia, sell said property at public or private sale and issue to any purchaser of such property a deed, which deed shall have the same force and effect as the deed hereinbefore provided for in this section for property sold at the regular annual sale: *Provided, however,* That no such deed shall be issued until all assessments, taxes, costs, and charges due the District, of whatsoever nature, shall have been paid in full: *And provided also,* That minors or other persons under legal disability be allowed one year after attaining full age or after the removal of such legal disability to redeem the property so sold, or bid off by the collector of taxes in the name of the District of Columbia as aforesaid, from the purchaser or purchasers, his, her, or their assigns, or from the District of Columbia, on payment of the amount of purchase money so paid therefor, with eight per centum per annum interest thereon as aforesaid, together with all taxes and assessments that have been paid thereon by the purchaser or his assigns between the day of sale and the period of redemption, with eight per centum per annum interest on the amount of such taxes and assessments. When such property is redeemed from a purchaser other than the District of Columbia, and when such property shall be redeemed from the District of Columbia, it shall, except as to the period of redemption, be upon the terms and conditions hereinabove provided for in the case of redemption by persons not under legal disability: *Provided, however,* That failure on the part of the District, from any cause whatsoever, to enforce the liens acquired aforesaid shall not release the property from any tax whatsoever that may be due the District: *Provided further,* That at any time after any property shall have been bid off as aforesaid by the collector of taxes, and before the expiration of the time allowed for the redemption thereof, the collector of taxes of said District, may issue to any person or persons, upon the payment of a sum not less than the aggregate amount of the taxes, penalties, and costs due at the time the property was bid off by the collector and that may have accrued after that date, a certificate of sale, and if the property shall not be redeemed by the owner or owners thereof within two years from the date of said certificate, by payment to the collector of taxes of said District, for the use of the legal holder of the certificate, the amount exclusive of surplus paid by the person or persons to whom such certificate was issued and twelve per centum per annum thereon, a deed shall be given by the Commissioners of the District of Columbia, or their successors in office, to the legal holder of such certificate, which deed shall have the same force and effect as the deed hereinbefore provided for in this section for property sold at the regular annual sale; and that the foregoing provisions in this section in reference to the sale at public or private sale of property in the District of Columbia advertised for sale for taxes and bid off by the collector of taxes be, and the same are also hereby, made applicable to all property in the District of Columbia subject to

Property still taxable.
Property unredeemable after two years.

Sale of unredeemed property.

Deed.

Deeds not to issue until taxes, etc., are paid.

Redemption by minors, etc.

Redeemed property.

Failure to enforce liens, etc., no release.

Certificate of sale.

Deed.

Effect of prior sales.

taxation whereon taxes levied and in arrears on the first day of July, eighteen hundred and ninety-seven, or at any time prior thereto, have not been paid, and which at any sale held previous to said date were bid off in the name of the District of Columbia; that when for any reason any tax sale of real property in the District of Columbia may be set aside or canceled, such property may be readvertised and sold at the next ensuing annual sale.

“SEC. 4. That the owner of any property sold as aforesaid, or any other person having an interest therein at the time of redemption, may redeem the same from such sale at any time within two years after the last day of sale by paying to the collector of taxes, for the use of the purchaser, his heirs and assigns, the sum mentioned in the certificate of sale therefor, exclusive of surplus with interest thereon at the rate of twelve per centum per annum after the date of such certificate of sale.

Redemption.

“SEC. 5. That the collector of taxes shall, within twenty days, exclusive of Sundays and legal holidays, after the last day of the sale hereinbefore provided for as aforesaid, file with the recorder of deeds a written report, in which he shall give a statement of the property sold, other than that sold to the District of Columbia, to whom it was assessed, the taxes due, to whom sold, the amount paid, the date of sale, the cost thereof, and the surplus, if any. Any surplus remaining after the collection of taxes, penalties, and costs on any real estate shall be collected as hereinbefore provided for, and shall be deposited by the collector of taxes to the credit of the surplus fund, to be paid to the owner or owners, or their legal representatives, in the same manner as other payments made by the District: *Provided*, That if any property sold for taxes, as herein provided, is redeemed from such sale within two years from last day of sale, any surplus paid at time of sale shall be paid by the District of Columbia to the legal holder of certificate of sale.

Collector to file report of property sold, etc.

Surplus.

Proviso.
Surplus to be paid to legal holder of certificate of sale.

“SEC. 6. That the said Commissioners shall not convey any property sold for taxes if they shall discover, before the conveyance, that the sale was for any cause invalid and ineffectual to give title to the property sold; but they shall cancel the sale and cause the purchase money, together with interest at the rate of six per centum per annum, and the surplus, if any, to be refunded to the purchaser, his representatives or assigns: *Provided*, That if any conveyance made by the said Commissioners, of property sold for taxes, shall at any time be set aside by decree of any court as invalid, the party in whose favor the decree is rendered shall pay to the party holding such conveyance, his heirs or assigns, the amount paid for such taxes and conveyances, together with interest at the rate of six per centum per annum.

Invalid sales to be canceled.

Proviso.
Sales set aside by decree of court.

“SEC. 7. That the expenses of advertising and the printing of said pamphlet shall be paid by a charge of fifty cents for each lot or piece of property advertised.

Expenses of advertising.

“SEC. 8. That hereafter the assessor of the District of Columbia shall have the records of his office open to inspection of the public, free of charge, at such time or times as the public interest will permit.

Free inspection of records.

“SEC. 9. That this Act shall take effect from and after its passage; and that all Acts or parts of Acts inconsistent herewith be, and the same are hereby, repealed: *Provided*, That nothing herein contained shall be construed as reducing the present rate of interest to be paid in redemption of any tax certificate issued to any purchaser other than the District of Columbia upon any sale held prior to the first day of July hereafter.”

Effect.

Repeal.

Proviso.
Present rate of interest.

Approved, July 1, 1902.