

of First Street northeast, along the eastern boundaries of squares numbered six hundred and seventy-five, six hundred and seventy-six, and six hundred and seventy-seven, to a width of sixty feet, as shown on plan on file in the office of the Engineer Commissioner of the District of Columbia: *Provided, however,* That of the amount found to be due and awarded by the jury in said proceeding as damages for and in respect of the land to be condemned for said widening, plus the costs and expenses of the proceeding hereunder, not less than two-thirds thereof shall be assessed by the jury as benefits.

Proviso.
Two-thirds of damages assessed as benefits.

SEC. 2. That there is hereby authorized to be appropriated, out of the revenues of the District of Columbia, an amount sufficient to pay the necessary costs and expenses of the condemnation proceeding taken pursuant hereto and for the payment of amounts awarded as damages. The amounts assessed as benefits when collected shall be repaid to the District of Columbia and covered into the Treasury to the credit of the revenues of the District of Columbia.

Amount authorized for expenses and award.

Assessment, etc., of benefits.

SEC. 3. That the Act approved June 11, 1910, entitled "An Act authorizing the widening of First Street northeast, in the District of Columbia," be, and the same is hereby, repealed, and the Commissioners of the District of Columbia are hereby authorized and directed to discontinue and abandon the proceeding heretofore instituted by them under said Act for the widening of said First Street, now pending in the Supreme Court of the District of Columbia, and known as District court cause numbered nine hundred and twenty-two.

Former Act repealed and proceedings under discontinued.
Vol. 36, p. 466.

Approved, March 3, 1923.

CHAP. 233.—An Act To amend section 206 of the Transportation Act, 1920.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 206 of the Transportation Act, 1920, is amended by adding at the end thereof two new subdivisions to read as follows:

"(h) Actions, suits, proceedings, and reparation claims, of the character described in subdivision (a), (c), or (d), properly commenced within the period of limitation prescribed, and pending at the time this subdivision takes effect, shall not abate by reason of the death, expiration of term of office, retirement, resignation, or removal from office of the Director General of Railroads or the agent designated under subdivision (a), but may (despite the provisions of the Act entitled 'An Act to prevent the abatement of certain actions,' approved February 8, 1899), be prosecuted to final judgment, decree, or award, substituting at any time before satisfaction of such final judgment, decree, or award the agent designated by the President then in office. Nor shall any action, suit, or other proceeding heretofore or hereafter brought by any public officer or official, in his official capacity, to enforce or compel the performance of an obligation due or accruing to the United States arising out of Federal control, abate by reason of the death, resignation, retirement, or removal from office of such officer or official, but such action, suit, or other proceeding may (despite the provisions of such Act of February 8, 1899), be prosecuted to final judgment, decree, or award, substituting at any time before satisfaction of any such final judgment, decree, or award the successor in office.

March 3, 1923.
[H. R. 14309.]
[Public, No. 494.]

Transportation Act, 1920.
Vol. 41, p. 462, amended.
Federal railroad control.
Actions under, not to abate by separation of officer, etc.

Successor may be substituted notwithstanding former law.
Vol. 30, p. 822.

Actions by officials may be prosecuted by successors in office and not abate by separation of officer bringing suit, etc.

Orders providing for substitution validated.

"(i) Orders providing for a substitution in such cases made before this subdivision takes effect by courts having jurisdiction of the parties and subject matter are hereby validated, anything in such

Reinstatement of actions abated solely on grounds of separation, etc., of official.

Act of February 8, 1899, to the contrary notwithstanding. Actions, suits, reparation claims, or other proceedings of the character described in subdivision (h) which have been abated or dismissed solely because of the provisions of such Act of February 8, 1899, shall be reinstated upon reasonable notice to the adverse party, and upon proper motion therefor filed within one year from the time this subdivision takes effect."

Approved, March 3, 1923.

March 3, 1923.
[S. J. Res. 240.]
[Pub. Res., No. 96.]

CHAP. 234.—Joint Resolution Authorizing the erection on public grounds, of a memorial to the late Joseph J. Darlington.

District of Columbia. Memorial to Joseph J. Darlington authorized in.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chief of Engineers, United States Army, be, and is hereby, authorized and directed to select a suitable site and to grant permission for the erection on public grounds of the United States in the city of Washington, District of Columbia, other than those of the Capitol, the Library of Congress, the White House, and the Mall, of a memorial to the late Joseph J. Darlington, a leader of the Washington bar, as a gift to the people of the city of Washington: *Provided,* That the site chosen and the design of the memorial shall be approved by the Joint Library Committee of Congress, with the advice of the Commission of Fine Arts; that it shall be erected under the supervision of the Chief of Engineers, and that the United States shall be put to no expense in or by the erection or maintenance of the said memorial.

Approved, March 3, 1923.

Proviso.
Approval of site and design.

No Government expense.

March 3, 1923.
[H. J. Res. 256.]
[Pub. Res., No. 99.]

CHAP. 235.—Joint Resolution Proposing payment to certain employees of the United States.

Armistice day, 1921. Per diem employees allowed pay for.

Post, p. 2255.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all per diem employees of the several departments and independent establishments of the Government who were carried on the rolls as employees and excused from work on November 11, 1921, shall be allowed pay for that day.

Approved, March 3, 1923.

March 4, 1923.
[S. 2051.]
[Public, No. 495.]

CHAP. 244.—An Act To amend section 3142 of the Revised Statutes, to permit an increase in the number of collection districts for the collection of internal revenue and in the number of collectors of internal revenue from sixty-four to sixty-five.

Internal revenue. Vol. 38, p. 475, amended.

Collections districts increased by one. R. S., sec. 3142, p. 602, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3142 of the Revised Statutes is amended by adding at the end thereof a new paragraph to read as follows:

"On and after July 1, 1921, the whole number of collection districts for the collection of internal revenue and the whole number of collectors of internal revenue shall not exceed sixty-five."

Approved, March 4, 1923.