

[CHAPTER 447.]

AN ACT

June 11, 1934.
[H. R. 5522.]
[Public, No. 306.]

To amend the Standard Baskets Act of August 31, 1916, to provide for a one-pound Climax basket for mushrooms.

Standard Baskets Act of 1916, amended. Vol. 39, p. 673; Vol. 45, p. 685. U. S. C., p. 377; Supp. VII, p. 261.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to fix standards for Climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and for other purposes", approved August 31, 1916, is amended by adding at the end thereof the following new paragraph:

Climax baskets for mushrooms.

"The standards for Climax baskets for mushrooms shall be those set forth above, except that a one-pound Climax basket of the following dimensions shall be standard for mushrooms when plainly stamped or marked on the side of the basket with the words 'for mushrooms only': Length of bottom piece, seven and three fourths inches; width of bottom piece, three and three sixteenths inches; thickness of bottom piece, three eighths of an inch; height of basket, three and five eighths inches; top of basket, length, nine and three eighths inches; width, four and three eighths inches; all outside measurements. Basket to have a cover four and three eighths by nine and three eighths inches when cover is used."

Dimensions.

Unlawful uses.

SEC. 2. Section 3 of such Act of August 31, 1916, is amended by inserting immediately before the semicolon a comma and the following: "or to use in any such shipment for any commodity other than mushrooms the one-pound Climax basket provided for in section 1 of this Act."

Effective date.

SEC. 3. This Act shall take effect two months after the date of its enactment.

Approved, June 11, 1934.

[CHAPTER 465.]

AN ACT

June 12, 1934.
[S. 1780.]
[Public, No. 307.]

To provide for the discontinuance of the use as dwellings of buildings situated in alleys in the District of Columbia, and for the replatting and development of squares containing inhabited alleys, in the interest of public health, comfort, morals, safety, and welfare, and for other purposes.

District of Columbia Alley Dwelling Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the President, in the interest of public health, comfort, morals, safety, and welfare, to provide for the discontinuance of the use as dwellings of buildings situated in alleys and to eliminate the hidden communities in inhabited alleys of the District of Columbia, and to carry out the policy declared in the Act approved May 16, 1918, as amended, of caring for the alley population of the District of Columbia, the President is hereby authorized and empowered, within the limits of the amounts herein authorized—

Vol. 33, p. 733; Vol. 38, p. 716; Vol. 40, p. 550; Vol. 42, p. 837.

Authority of President. Post, p. 932.

Acquisition of inhabited alley property.

(a) To purchase, or acquire by condemnation or gift, any land, buildings, or structures, or any interest therein, situated in or adjacent to any inhabited alley in the District of Columbia, and such other land, buildings, or structures, or any interest therein, within any square containing an inhabited alley as he may determine to be necessary for the replatting and improvement of said square pursuant to the provisions of this Act;

Replat and improve lands so acquired.

(b) To replat any land acquired under this Act; to pave or repave any street or alley thereon; to construct sewers and water mains therein; to install street lights thereon; to demolish, move, or alter any buildings or structures situated thereon and erect such

buildings or structures thereon as deemed advisable: *Provided, however,* That the same shall be done and performed in accordance with the laws and municipal regulations of the District of Columbia applicable thereto;

Proviso.
Municipal regulations to govern.

(c) To lease, rent, maintain, equip, manage, exchange, sell, or convey any such lands, buildings, or structures upon such terms and conditions as he may determine: *Provided,* That if any such land is required for the purposes of the government of the District of Columbia such land may be transferred to the said government upon payment to the Authority of the reasonable value thereof; and

Lease, equip, convey, etc., structures and land.
Proviso.
Transfer to District, if for government purposes.

(d) To aid in providing, equipping, managing, and maintaining houses and other buildings, improvements, and general community utilities on the property acquired under the provisions of this Act, by loans, upon such terms and conditions as he may determine, to limited dividend corporations whose dividends do not exceed 6 per centum per annum, or to home owners to enable such corporations or home owners to acquire and develop sites on the property: *Provided, however,* That no loan shall be made at a lower rate of interest than 5 per centum per annum, and that all such loans shall be secured by reserving a first lien on the property involved for the benefit of the United States.

Aid in redeveloping property by loans to limited dividend corporations.

Proviso.
Interest rate on loans.

SEC. 2 (a) The President may designate, for the purpose of carrying out the provisions of this Act, such official or agency of the Government of the United States or of the District of Columbia (hereinafter referred to as "the Authority") as in his judgment is deemed necessary or advantageous, and the Authority shall have or obtain all powers necessary or appropriate therefor, including the employment of necessary personal services; but (1) all plans for replatting and/or method of condemnation under the provisions of this Act shall be submitted to and receive the written approval of the National Capital Park and Planning Commission and of the Board of Commissioners of the District of Columbia: *Provided, however,* That (a) failure of the National Capital Park and Planning Commission or of the Board of Commissioners of the District of Columbia to formally approve or disapprove in writing within sixty days after a plan has been submitted shall be equivalent to a formal approval, and (b) disapproval shall be accompanied by a written statement giving all the reasons for disapproval; and (2) any plan which shall involve action by any department, bureau, or agency of the United States or of the District of Columbia shall be made after consultation with such department, bureau, or agency.

President may designate an administrative agency.

To be referred to as "the Authority"; powers.

Approval of replatting plans; method of condemnation.

Proviso.
Failure to formally approve or disapprove.

Reasons to be stated, if disapproved.

Plan involving action by Federal or District Governments.

Condemnation proceedings.
Vol. 45, p. 1437.

(b) In the event condemnation proceedings are required to carry out the provisions of this Act the same shall be conducted in accordance with the provisions of the Act entitled "An Act to provide for the acquisition of land in the District of Columbia for the use of the United States", approved March 1, 1929.

Vol. 31, pp. 1429, 1430.

(c) If the Authority determines in the case of any alley that it will be more advantageous to proceed in accordance with sections 1608 to 1610, inclusive, of the Code of Laws of the District of Columbia, the Commissioners of the District of Columbia shall be notified of such determination and proceedings shall then be had as provided in such sections for alleys and minor streets, except that if the total amount of damages awarded by the jury and the cost and expenses of the proceedings be in excess of the total amount of the assessment for benefits, such excess shall be borne and paid by the Authority.

SEC. 3. (a) The President is hereby authorized, in his discretion, to make immediately available to the Authority for its lawful uses

Fund allocated.

Ante, pp. 200, 275.

"Conversion of inhabited alleys fund."

Additional sums may be borrowed.

Use as a revolving fund.

Availability; annual appropriation after 1935.

Limitation on property payments.

Plans to be expedited.

Reports.

Occupying any alley dwelling after July 1, 1944, unlawful.

Construction hereafter forbidden.

Punishment for violation.

Detailed report to be made.

Complete report upon completion of work.

Statement and recommendation if not completed within time scheduled.

Accomplishment by July 1, 1944.

Loans under, may extend beyond such time.

and as needed, from the allocation made from the appropriation to carry out the purposes of the National Industrial Recovery Act, contained in the Fourth Deficiency Act, fiscal year 1933, now carried under the title, "National Industrial Recovery, Federal Emergency Administration of Public Works, Housing, 1933-1935", symbol 03/5666, not to exceed \$500,000 of any amount thereof dedicated for low-cost housing and slum-clearance projects in the District of Columbia, to be set aside in the Treasury and be known as "Conversion of inhabited alleys fund" (hereinafter referred to as the "fund").

(b) The Authority is hereby authorized and empowered to borrow such moneys from individuals or private corporations as may be secured by the property and assets acquired under the provisions of this Act, and such moneys, together with all receipts from sales, leases, or other sources, shall be deposited in the fund and shall be available for the purposes of this Act.

(c) The fund shall remain available until June 30, 1935, and thereafter shall be available annually in such amount as may be specified in the annual appropriation Acts.

(d) The total amount paid for property or properties acquired in any square shall not exceed 30 per centum over and above the present assessed value of all the property or properties acquired in any square to carry out the provisions of this Act.

SEC. 4. (a) The objects set forth in section 1 of this Act shall be accomplished as rapidly as feasible and to this end the Authority shall, in its report for the fiscal year ending June 30, 1934, set forth what it purposes to do during the next succeeding fiscal year. In each succeeding annual report it shall set forth its proposals for the next year.

(b) On and after July 1, 1944, it shall be unlawful to use or occupy any alley building or structure as a dwelling in the District of Columbia.

(c) No alley dwelling shall hereafter be constructed in the District of Columbia, nor shall any building or structure be moved, altered, or converted for use as an alley dwelling.

(d) Any person violating any of the provisions of this section shall, upon conviction thereof, be punished by a fine of not more than \$500 or by imprisonment for not more than six months, or both. Each week of seven days of the continuance of any such violation shall constitute a separate offense.

SEC. 5. (a) The Authority shall make a report to the President, which he shall transmit to Congress at the beginning of each regular session, giving a full and detailed account of all operations under the provisions of this Act for the preceding fiscal year.

(b) Upon completion of the work contemplated by this Act the President shall submit a complete report to Congress giving a full and detailed account of all operations for the entire period of operation. If such work is not completed by July 1, 1944, the President shall, on July 1, 1944, or at the opening of the next regular session of Congress after such date, make a report to Congress covering the operations under this Act for the entire period to July 1, 1944, including a statement of what further work remains to be done, and recommendation for further legislation if in his opinion such legislation is necessary.

(c) It is hereby declared to be the purpose and intent of Congress that the objects set forth in section 1 of this Act shall be accomplished, if possible, on or before July 1, 1944, except that loans made under this Act may run for periods extending beyond such time.

SEC. 6. There shall be published three times each year during the month of January in a newspaper of general circulation published in the District of Columbia a notice to owners and tenants of alley dwellings and of other property in squares containing inhabited alleys, that alley dwellings in such squares may be demolished, removed, or vacated, and that the squares may be replatted on or before July 1, 1944.

Notices to owners and tenants.

SEC. 7. As used in this Act—

Definitions.

(a) The term "alley" means (1) any court, thoroughfare, or passage, private or public, less than thirty feet wide at any point; and (2) any court, thoroughfare, or passage, private or public, thirty feet or more in width, that does not open directly with a width of at least thirty feet upon a public street that is at least forty feet wide from building line to building line.

"Alley."

(b) The term "inhabited alley" means an alley in or appurtenant to which there are one or more alley dwellings.

"Inhabited alley."

(c) The term "alley dwelling" means any dwelling fronting upon or having its principal means of ingress from an alley. This definition does not include an accessory building, such as a garage, with living rooms for servants or other employees; if the principal entrance to the living rooms of the accessory building is from the street property to which it is accessory.

"Alley dwelling."

Accessory building not included.

(d) The term "dwelling" means any building or structure used or designed to be used in whole or in part as a living or a sleeping place by one or more human beings.

"Dwelling."

(e) The term "person" includes any individual, partnership, corporation, or association.

"Person."

SEC. 8. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and the application thereof to other persons and circumstances shall not be affected thereby.

Saving clause.

SEC. 9. All Acts and parts of Acts contrary to the provisions of this Act or inconsistent therewith be, and the same are hereby, repealed.

Inconsistent laws repealed.

SEC. 10. This Act may be cited as the "District of Columbia Alley Dwelling Act."

Citation of Act.

Approved, June 12, 1934.

[CHAPTER 466.]

AN ACT

To revise air-mail laws, and to establish a commission to make a report to the Congress recommending an aviation policy.

June 12, 1934.
[S. 3170.]
[Public, No. 308.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April 29, 1930 (46 Stat. 259, 260; U.S.C., Supp. VII, title 39, secs. 464, 465c, 465d, and 465f), and the sections amended thereby are hereby repealed.

Revision of air-mail laws.
Vol. 46, p. 259;
U.S.C., Supp. VII, p. 881, repealed.

SEC. 2. (a) Effective July 1, 1934, the rate of postage on air mail shall be 6 cents for each ounce or fraction thereof.

Postage rate increased.
Vol. 45, p. 594.

(b) When used in this Act—

Definitions.

(1) The term "air mail" means mail of any class prepaid at the rate of postage prescribed in subsection (a) of this section.

"Air mail."

(2) The term "person" includes an individual, partnership, association, or corporation.

"Person."

(3) The term "pilot" includes copilot.

"Pilot."

SEC. 3. (a) The Postmaster General is authorized to award contracts for the transportation of air mail by airplane between such

Contracts for carrying air mail.