AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

(c) The following classes of property shall not be subject to allocation under sections 302, 303, or 304 of this title, but shall be disposed of in the manner otherwise provided by law: Classes of property exempt from allocation.

(1) arms or munitions of war included in section 4 of title VI of the Act entitled "An Act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes" (40 Stat. 223), approved June 15, 1917, as amended; Vol. 40, p. 223.

(2) narcotic drugs, as defined in the Narcotic Drug Import and Export Act; Vol. 42, p. 596.

(3) firearms, as defined in the National Firearms Act; and Vol. 48, p. 1236.

(4) such other classes or kinds of property as the Director, with the approval of the Secretary of the Treasury, may deem in the public interest, and may by rules and regulations provide.

Approved, August 27, 1935.

[CHAPTER 741.]

AN ACT

August 27, 1935.
[S. 3353.]
[Public, No. 348.]

Providing for the exchange of certain park lands at and near Western Avenue and West Beach Drive for other lands more suitable to the development of Rock Creek Park and the street system of the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to extend Beach Parkway northward to Western Avenue as provided for by the plans of the National Capital Park and Planning Commission for the park system of the District of Columbia and to preserve the flow of water in Rock Creek Park and to extend West Beach Drive to connect Beach Drive and Rock Creek Park with Western Avenue, the Secretary of the Interior is authorized to convey by and on behalf of the United States of America to the owners of parcel 78/5, or to such party or parties as said owner or owners shall designate, the title of the United States in and to a piece of land containing approximately fifty-five thousand square feet at and near the intersection of Western Avenue and West Beach Drive as proposed in accordance with the plan of the permanent system of highways of the District of Columbia, being a part of reservation 339: *Provided*, That the owners of said parcel 78/5 shall furnish the United States of America with a good and sufficient title in fee simple, free of all encumbrances, to that piece of land lying along and east of the center line of West Beach Drive as proposed in accordance with the plan of the permanent system of highways of the District of Columbia, and extending east to the creek immediately north of the present north line of United States reservation 432 and extending north to United States reservation 339 and containing approximately fifty-eight thousand five hundred square feet: *Provided further*, That the owners of parcel 78/5 dedicate to the District of Columbia for street purposes the west half, forty-five feet in width, of West Beach Drive as proposed in accordance with the plan of the permanent system of highways of the District of Columbia, along their property immediately north of the north line of reservation 432.

District of Columbia. Exchange of certain park lands in, authorized.

Provisos. Condition.

Private property owners to dedicate strip for street purposes.

SEC. 2. The dedication and transfers provided for in section 1 are designated approximately upon plat file numbered 3.9–97 in the files of the National Capital Park and Planning Commission. The dedication and conveyances shall be by proper deed and other instruments containing full legal description by exact survey of the land exchanged and dedicated as provided for by law.

Parcels designated.

Deed, etc.

104019°—36——56

Secretary's powers not curtailed.

Vol. 47, p. 707.

SEC. 3. Nothing in this Act shall be construed as curtailing the power of the Secretary of the Interior to sell the remainder of parcel 4 as provided for in Public Law Numbered 299, Seventy-second Congress, and should the exchange and dedication as provided for in section 1 fail to become effective the Secretary of the Interior is still authorized to sell the entire area of parcel 4 as provided for in that Act.

Approved, August 27, 1935.

[CHAPTER 742.]

AN ACT

August 27, 1935.
[H. R. 3462.]
[Public, No. 349.]

To amend an Act entitled "An Act to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913", and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act entitled "An Act to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913", be, and the same is hereby, amended by striking therefrom all of paragraph 52, and all of paragraph 64, after the first sentence thereof, and inserting in lieu of the matter stricken the following:

District of Columbia, Public Utilities Commission.
Vol. 37, pp. 985, 988, amended.

Application for rehearing on Commission's order, allowed.
Limitations.

"That any public utility or any other person or corporation affected by any final order or decision of the Commission may, within thirty days after the publication thereof, file with the Commission an application in writing requesting a reconsideration of the matters involved, and stating specifically the errors claimed as grounds for such reconsideration. No public utility, or other person or corporation shall in any court urge or rely on any ground not so set forth in said application. The Commission, within thirty days after the filing of such application, shall either grant or deny it. Failure by the Commission to act upon such application within such period shall be deemed a denial thereof. If such application be granted, the Commission, after giving notice thereof to all interested parties, shall, either with or without hearing, rescind, modify, or affirm its order or decision. The filing of such an application shall act as a stay upon the execution of the order or decision of the Commission until the final action of the Commission upon the application: *Provided*, That upon written consent of the utility such order or decision shall not be stayed unless otherwise ordered by the Commission. No appeal shall lie from any order of the Commission unless an application for reconsideration shall have been first made and determined."

Commission's decision.

Application to act as stay on order's execution.

Proviso.
Exception.

Appeal restriction.

Designated sections repealed.
Vol. 37, p. 989.

SEC. 2. That said section 8 be, and the same hereby is, further amended by striking therefrom paragraphs 65, 66, 67, 68, and 69 and inserting in lieu of the matter stricken the following:

Appeal from Commission's decision.

Court jurisdiction over.

"PAR. 65. The Supreme Court of the District of Columbia shall have jurisdiction to hear and determine any appeal from an order or decision of the Commission. Any public utility, or any other person or corporation affected by any final order or decision of the Commission, other than an order fixing or determining the value of the property of a public utility in a proceeding solely for that purpose, may, within sixty days after final action by the Commission upon the petition for reconsideration, file with the clerk of the Supreme Court of the District of Columbia a petition of appeal setting forth the reasons for such appeal and the relief sought; at the same time such appellant shall file with the Commission notice

Petition to be filed.