74TH CONGRESS. SESS. I. CHS. 740, 741. AUGUST 27, 1935.

(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:

(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;

(2) narcotic drugs, as defined in the Narcotic Drug Import and Export Act;

(3) firearms, as defined in the National Firearms Act; and

(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

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.

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.
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 Con-
gress, 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

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 govern-
ment 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:

“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 Com-
mission 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 inter-
ested 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 appli-
cation: Provided, That upon written consent of the utility such order
or decision shall not be stayed unless otherwise ordered by the Com-
mission. No appeal shall lie from any order of the Commission
unless an application for reconsideration shall have been first made
and determined.”

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:

“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 Com-
mision 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