

[CHAPTER 617]

AN ACT

To repeal the minimum-price limitation on sale of the Akron, Ohio, old post-office building and site.

August 9, 1939
[H. R. 6021]
[Public, No. 356]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following parts of Acts regulating sale of the Akron, Ohio, old post-office building and site are hereby repealed:

Akron, Ohio, old post-office building and site.

(a) The proviso limiting the last sentence of section 13 of the Act entitled "An Act to increase the limit of cost of certain public buildings * * *", approved March 4, 1913 (Public, Numbered 432, Sixty-second Congress; 37 Stat. 882), reading as follows: "Provided, That said building and site shall not be sold for any sum less than \$100,000.";

Minimum price limitation on sale of, repealed.

37 Stat. 882.

(b) The last clause of the Act entitled "An Act to authorize the sale of the Government property acquired for a post-office site in Akron, Ohio", approved May 13, 1930 (Public, Numbered 206, Seventy-first Congress; 46 Stat. 274), reading as follows: "and to sell the remainder of the site upon the terms and conditions provided in the Act of Congress approved March 4, 1913, authorizing the sale of the above old post-office property in Akron, Ohio."

Clause authorizing sale of remainder of site repealed.

46 Stat. 274.

Approved, August 9, 1939.

[CHAPTER 618]

AN ACT

To provide for the seizure and forfeiture of vessels, vehicles, and aircraft used to transport narcotic drugs, firearms, and counterfeit coins, obligations, securities, and paraphernalia, and for other purposes.

August 9, 1939
[H. R. 6556]
[Public, No. 357]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) it shall be unlawful (1) to transport, carry, or convey any contraband article in, upon, or by means of any vessel, vehicle, or aircraft; (2) to conceal or possess any contraband article in or upon any vessel, vehicle, or aircraft, or upon the person of anyone in or upon any vessel, vehicle, or aircraft; or (3) to use any vessel, vehicle, or aircraft to facilitate the transportation, carriage, conveyance, concealment, receipt, possession, purchase, sale, barter, exchange, or giving away of any contraband article.

Transportation, etc., of contraband articles by vessels, vehicles, or aircraft, unlawful.

(b) As used in this section, the term "contraband article" means—
(1) Any narcotic drug which has been or is possessed with intent to sell or offer for sale in violation of any laws or regulations of the United States dealing therewith, or which is sold or offered for sale in violation thereof, or which does not bear appropriate tax-paid internal-revenue stamps as required by law or regulations;

"Contraband article" defined.
Narcotic drug.

(2) Any firearm, with respect to which there has been committed any violation of any provision of the National Firearms Act, as now or hereafter amended, or any regulation issued pursuant thereto; or

Firearm.
48 Stat. 1236.
26 U. S. C. §§ 1132-1132q; Supp. IV, ch. 15A.

(3) Any falsely made, forged, altered, or counterfeit coin or obligation or other security of the United States or of any foreign government; or any material or apparatus, or paraphernalia fitted or intended to be used, or which shall have been used, in the making of any such falsely made, forged, altered, or counterfeit coin or obligation or other security.

Counterfeit coin, obligation, etc.

Sec. 2. Any vessel, vehicle, or aircraft which has been or is being used in violation of any provision of section 1, or in, upon, or by means of which any violation of section 1 has taken or is taking

Seizure and forfeiture of vessels, etc., transporting contraband.

Provisos.
Owner or master a
consenting party or
privity thereto.

Violation by person
other than owner, pos-
sessing vessel, etc.,
unlawfully.

Enforcement provi-
sions.

Application of laws.

Proviso.
Duties with respect
to seizures, etc.

Appropriations made
available.

Provisions deemed
supplemental to exist-
ing laws.

Definitions.

"Vessel."

"Vehicle."

place, shall be seized and forfeited: *Provided*, That no vessel, vehicle, or aircraft used by any person as a common carrier in the transaction of business as such common carrier shall be forfeited under the provisions of this Act unless it shall appear that (1) in the case of a railway car or engine, the owner, or (2) in the case of any other such vessel, vehicle, or aircraft, the owner or the master of such vessel or the owner or conductor, driver, pilot, or other person in charge of such vehicle or aircraft was at the time of the alleged illegal act a consenting party or privity thereto: *Provided further*, That no vessel, vehicle, or aircraft shall be forfeited under the provisions of this Act by reason of any act or omission established by the owner thereof to have been committed or omitted by any person other than such owner while such vessel, vehicle, or aircraft was unlawfully in the possession of a person who acquired possession thereof in violation of the criminal laws of the United States, or of any State.

SEC. 3. The Secretary of the Treasury is empowered to authorize, or designate, officers, agents, or other persons to carry out the provisions of this Act. It shall be the duty of any officer, agent, or other person so authorized or designated, or authorized by law, whenever he shall discover any vessel, vehicle, or aircraft which has been or is being used in violation of any of the provisions of this Act, or in, upon, or by means of which any violation of this Act has taken or is taking place, to seize such vessel, vehicle, or aircraft and to place it in the custody of such person as may be authorized or designated for that purpose by the Secretary of the Treasury, to await disposition pursuant to the provisions of this Act and any regulations issued hereunder.

SEC. 4. All provisions of law relating to the seizure, summary and judicial forfeiture, and condemnation of vessels and vehicles for violation of the customs laws; the disposition of such vessels and vehicles or the proceeds from the sale thereof; the remission or mitigation of such forfeitures; and the compromise of claims and the award of compensation to informers in respect of such forfeitures shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this Act, insofar as applicable and not inconsistent with the provisions hereof: *Provided*, That such duties as are imposed upon the collector of customs or any other person with respect to the seizure and forfeiture of vessels and vehicles under the customs laws shall be performed with respect to seizures and forfeitures of vessels, vehicles, and aircraft under this Act by such officers, agents, or other persons as may be authorized or designated for that purpose by the Secretary of the Treasury.

SEC. 5. Any appropriation which has been or shall hereafter be made for the enforcement of the customs, narcotics, counterfeiting, or internal-revenue laws, and the provisions of the National Firearms Act shall be available for the defraying of expenses of carrying out the provisions of this Act.

SEC. 6. The provisions of this Act shall be construed to be supplemental to, and not to impair in any way, existing provisions of law imposing fines, penalties, or forfeitures; or providing for the seizure, condemnation, or disposition of forfeited property or the proceeds thereof; or authorizing the remission or mitigation of fines, penalties, or forfeitures.

SEC. 7. When used in this Act—

(a) The term "vessel" includes every description of watercraft or other contrivance used, or capable of being used, as means of transportation in water, but does not include aircraft;

(b) The term "vehicle" includes every description of carriage or other contrivance used, or capable of being used, as means of transportation on, below, or above the land, but does not include aircraft;

(c) The term "aircraft" includes every description of craft or carriage or other contrivance used, or capable of being used, as means of transportation through the air;

(d) The term "narcotic drug" means any narcotic drug, as now or hereafter defined by the Narcotic Drugs Import and Export Act, the internal-revenue laws or any amendments thereof, or the regulations issued thereunder; or marihuana as now or hereafter defined by the Marihuana Tax Act of 1937 or the regulations issued thereunder;

(e) The term "firearm" means any firearm, as now or hereafter defined by the National Firearms Act, or any amendments thereof, or the regulations issued thereunder; and

(f) The words "obligation or other security of the United States" are used as now or hereafter defined in section 147 of the Criminal Code, as amended (U. S. C., title 18, sec. 261).

SEC. 8. The Secretary of the Treasury shall prescribe such rules and regulations as may be necessary to carry out the provisions of this Act.

Approved, August 9, 1939.

[CHAPTER 619]

AN ACT

To repeal section 4897 of the Revised Statutes (U. S. C., title 35, sec. 38), and amend sections 4885 and 4934 of the Revised Statutes (U. S. C., title 35, secs. 41 and 78).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4897 of the Revised Statutes (U. S. C., title 35, sec. 38) be repealed.

SEC. 2. That section 4885 of the Revised Statutes (U. S. C., title 35, sec. 41) be amended by adding at the end thereof the following: "*Provided, however,* That the Commissioner of Patents may in his discretion receive the final fee if paid within one year after the six months' period for payment has passed and the patent shall issue".

SEC. 3. That section 4934 of the Revised Statutes (U. S. C., title 35, sec. 78) be amended by changing the last sentence to read: "On filing each petition for the revival of an abandoned application for a patent or for the delayed payment of the fee for issuing each patent, \$10."

SEC. 4. This Act shall take effect upon approval: *Provided, however,* That in all cases in which the notice of allowance had been sent prior to the time at which this Act takes effect the final fee may be paid and other proceedings may be taken under the statutes in force at the time of approval of this Act as if such statutes had not been amended or repealed.

Approved, August 9, 1939.

[CHAPTER 620]

AN ACT

To provide for insanity proceedings in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person with whom an alleged insane person may reside, or at whose house he may be, or the father or mother, husband or wife, brother or sister, or the child of lawful age of any such person, or the nearest relative or friend available, or the committee of such person, or an officer of any charitable institution, home, or hospital in which such person may be, or any duly accredited officer or agent of the Board

"Aircraft."

"Narcotic drug."
42 Stat. 596.
21 U. S. C. §§ 171-185.

50 Stat. 551.
26 U. S. C., Supp. IV, § 1399-1399q.

"Firearm."
48 Stat. 1236.
26 U. S. C. §§ 1132-1132q; Supp. IV, ch. 15A.

"Obligation or other security of the United States."
18 U. S. C. § 261; Supp. IV, § 261.
Rules and regulations.

August 9, 1939
[H. R. 6874]
[Public, No. 358]

Patents.
Section repealed.
R. S. § 4897.
35 U. S. C. § 38.
Proviso.
Payment of final fees.
R. S. § 4885.
35 U. S. C. § 41.

Petition for revival of abandoned application, etc.
R. S. § 4934.
35 U. S. C. § 78.

Effective date.
Proviso.
Procedure where notice of allowance sent prior to effective date.

August 9, 1939
[H. R. 7086]
[Public, No. 359]

District of Columbia.
Insanity proceedings.
Application for writ de lunatico inquirendo, etc.