

Appropriation.

and storage purposes, and for general monument uses in connection with the National monuments of the Southwest, the property near Globe, Arizona, known as the Gila Pueblo. For such acquisition, and expenses incidental thereto, there is authorized to be appropriated not to exceed \$75,000.

Approved February 12, 1952.

Public Law 260

CHAPTER 47

February 20, 1952
[S. 493]

AN ACT

To require the taking and destruction of dangerous weapons in certain cases, and for other purposes.

Dangerous weapons, D. C.

47 Stat. 650.

"Dangerous article."

Unlawful possession, etc.

Discovery by police officer.

Claim for possession.

Appeal.

Disposition of dangerous article.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes", approved July 8, 1932 (D. C. Code, 1940 edition, secs. 22-3201 to 22-3216), is hereby amended by adding at the end thereof the following new section:

"SEC. 18. (a) As used in this section, the term 'dangerous article' means (1) any weapon such as a pistol, machine gun, sawed-off shotgun, blackjack, slingshot, sandbag, or metal knuckles, or (2) any instrument, attachment, or appliance for causing the firing of any firearms to be silent or intended to lessen or muffle the noise of the firing of any firearms.

"(b) A dangerous article unlawfully owned, possessed, or carried is hereby declared to be a nuisance.

"(c) When a police officer, in the course of a lawful arrest or lawful search, discovers a dangerous article which he reasonably believes is a nuisance under subsection (b) he shall take it into his possession and surrender it to the property clerk of the Metropolitan Police Department.

"(d) (1) Within thirty days after the date of such surrender, any person may file in the office of the property clerk of the Metropolitan Police Department a written claim for possession of such dangerous article. Upon the expiration of such period, the property clerk shall notify each such claimant, by registered mail addressed to the address shown on the claim, of the time and place of a hearing to determine which claimant, if any, is entitled to possession of such dangerous article. Such hearing shall be held within sixty days after the date of such surrender.

"(2) At the hearing the property clerk shall hear and receive evidence with respect to the claims filed under paragraph (1). Thereafter he shall determine which claimant, if any, is entitled to possession of such dangerous article and shall reduce his decision to writing. The property clerk shall send a true copy of such written decision to each claimant by registered mail addressed to the last known address of such claimant.

"(3) Any claimant may, within thirty days after the day on which the copy of such decision was mailed to such claimant, file an appeal in the municipal court for the District of Columbia. If the claimant files an appeal, he shall at the same time give written notice thereof to the property clerk. If the decision of the property clerk is so appealed, the property clerk shall not dispose of the dangerous article while such appeal is pending and, if the final judgment is entered by such court, he shall dispose of such dangerous article in accordance with the

judgment of such court. The municipal court for the District of Columbia is authorized to determine which claimant, if any, is entitled to possession of the dangerous article and to enter a judgment ordering a disposition of such dangerous article consistent with subsection (f).

"(4) If there is no such appeal, or if such appeal is dismissed or withdrawn, the property clerk shall dispose of such dangerous article in accordance with subsection (f).

"(5) The property clerk shall make no disposition of a dangerous article under this section, whether in accordance with his own decision or in accordance with the judgment of the municipal court for the District of Columbia, until the United States attorney for the District of Columbia certifies to him that such dangerous article will not be needed as evidence.

"(e) A person claiming a dangerous article shall be entitled to its possession only if (1) he shows on satisfactory evidence that he is the owner of the dangerous article or is the accredited representative of the owner, and that the ownership is lawful; and (2) he shows on satisfactory evidence that at the time the dangerous article was taken into possession by a police officer it was not unlawfully owned and was not unlawfully possessed or carried by the claimant or with his knowledge or consent; and (3) the receipt of possession by him will not cause the article to be a nuisance. A representative is accredited if he has a power of attorney from the owner.

"(f) If a person claiming a dangerous article is entitled to its possession as determined under subsections (d) and (e), possession of such dangerous article shall be given to such person. If no person so claiming is entitled to its possession as determined under subsections (d) and (e), or if there be no claimant, such dangerous article shall be destroyed. In lieu of such destruction, any such serviceable dangerous article may, upon order of the Commissioners of the District of Columbia, be transferred to and used by any Federal or District Government law-enforcing agency, and the agency receiving same shall establish property responsibility and records of these dangerous articles.

"(g) The property clerk shall not be liable in damages for any action performed in good faith under this section."

Approved February 20, 1952.

Right to possession.

Nonliability.

Public Law 261

CHAPTER 49

JOINT RESOLUTION

Designating September 17 of each year as "Citizenship Day".

February 29, 1952
[H. J. Res. 314]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the 17th day of September of each year is hereby designated as "Citizenship Day" in commemoration of the formation and signing, on September 17, 1787, of the Constitution of the United States and in recognition of all who, by coming of age or by naturalization have attained the status of citizenship, and the President of the United States is hereby authorized to issue annually a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies.

That the civil and educational authorities of States, counties, cities, and towns be, and they are hereby, urged to make plans for the proper observance of this day and for the full instruction of citizens in their

Designation of "Citizenship Day".

Proclamation.

Observance.