

## Private Law 322

## CHAPTER 138

## AN ACT

For the relief of Franz Gerich and Willy Gerich, his minor son.

April 13, 1954  
[S. 1231]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Franz Gerich, the sum of \$202.38, in full settlement of all claims against the United States for hospital and medical expenses incurred by him; and to Willy Gerich, his minor son, the sum of \$5,000, in full settlement of all claims against the United States for personal injuries, pain and suffering sustained by him as the result of an accident which occurred on May 25, 1945, in the vicinity of Lauderbach, Czechoslovakia, when a United States Army tank collided with a vehicle in which Willy Gerich was riding: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Franz and Willy  
Gerich.

Approved April 13, 1954.

## Private Law 323

## CHAPTER 139

## AN ACT

To authorize Potomac Electric Power Company to construct, maintain, and operate in the District of Columbia, and to cross Kenilworth Avenue Northeast, in said District, with, certain railroad tracks and related facilities, and for other purposes.

April 13, 1954  
[S. 1691]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the present or future public convenience and necessity require or will require the construction and operation of the crossings, tracks, and other facilities authorized by this Act, and that—

Potomac Elec-  
tric Power Co.  
D. C. railroad  
track construction.

SECTION 1. Potomac Electric Power Company, a corporation organized and existing under the laws of the United States of America relating to the District of Columbia and a domestic corporation of the Commonwealth of Virginia, its successors and assigns, is hereby authorized to construct, operate, and maintain in the District of Columbia railroad tracks providing a direct connection between the area bounded by Kenilworth Avenue Northeast, Benning Road Northeast, Foote Street Northeast, and the Anacostia River (hereinafter called the "Benning plant area") and the right-of-way of The Pennsylvania Railroad Company in Parcels 176/100 and 176/101 in said District; to construct, operate, and maintain an overhead bridge carrying such tracks across said Kenilworth Avenue Northeast; and to construct, operate, and maintain in the Benning plant area all such industrial side tracks, switches, crossings, tracks, turnouts, extensions, branch tracks, spurs, sidings, and connections as in the opinion of said Potomac Electric Power Company, its successors or assigns, may be or become necessary or expedient or advisable for the development

and use of the Benning plant area for such uses as may now or hereafter be permitted by or under the zoning regulations and maps of the District of Columbia as now or at any time hereafter in effect: and said Potomac Electric Power Company, its successors and assigns, is hereby further authorized, until said overhead bridge is completed and ready for operation, to construct, operate, and maintain across said Kenilworth Avenue Northeast, in the District of Columbia, a railroad track crossing at grade to provide a direct connection between the Benning plant area and said right-of-way of The Pennsylvania Railroad Company, and from said crossing at grade to construct, operate, and maintain in the Benning plant area industrial side tracks, switches, crossings, tracks, turnouts, extensions, branch tracks, spurs, sidings, and connections to the extent hereinabove authorized; and said Potomac Electric Power Company, its successors and assigns, is hereby further authorized, in connection with the tracks, crossings, and other facilities herein authorized, to construct, operate, and maintain such electrical or other equipment and installations as in its opinion may be necessary, expedient, or advisable for the operation of said tracks, crossings, and other facilities: *Provided*, That upon completion of said overhead bridge, but not later than one year from the date of approval of this Act or within such further period of time as the Commissioners of the District of Columbia shall permit, said Potomac Electric Power Company, its successors and assigns, shall remove from said Kenilworth Avenue said temporary railroad track crossing said avenue at grade authorized by the provisions of this section.

SEC. 2. Before any portion of the construction work authorized by section 1 of this Act shall be begun on the ground, a plan or plans for such portion shall be submitted to the Commissioners of the District of Columbia for their approval, and only to the extent that such plan or plans shall be approved by said Commissioners shall such portion of the construction work herein authorized be permitted or undertaken: *Provided, however*, That such approval shall not be unreasonably withheld by said Commissioners.

SEC. 3. Said Potomac Electric Power Company, its successors and assigns, is hereby authorized to permit any railroad company or companies to use the bridge, Kenilworth Avenue grade crossing, industrial side tracks, switches, crossings, tracks, turnouts, extensions, branch tracks, spurs, siding, and connections authorized by section 1 of this Act to the extent deemed necessary or expedient or advisable by said Potomac Electric Power Company, its successors or assigns.

SEC. 4. The authority granted herein shall not be construed to authorize any construction or relocation or removal of railroad track or tracks, or the construction of any structure which will prevent continuous rail transportation by standard railroad equipment by and between the railroad tracks of the Baltimore and Ohio Railroad and the premises of the Benning plant of the Potomac Electric Power Company via the tracks of the East Washington Railway Company and the Capital Transit Company, except that this section shall not preclude the construction of an overpass at Deane Avenue, or preclude temporary interruption of the railroad transportation service described in this section when necessary to any construction on Kenilworth Avenue, or when necessary for construction of facilities described in section 1 of this Act.

Approved April 13, 1954.