

SEC. 4. The appropriation in the Legislative Branch Appropriation Act, 1938 (Public Act Numbered 94, Seventy-fifth Congress), for an assistant clerk at \$2,800 for the Committee to Audit and Control the Contingent Expenses of the Senate, is hereby amended to make the salary of such assistant clerk read "\$2,880".

Committee to Audit and Control Contingent Expenses of the Senate.

Salary of assistant clerk.
Ante, p. 170.

SEC. 5. The Comptroller General of the United States is authorized and directed to approve payment for nine airplanes obtained from the Stinson Aircraft Corporation, Wayne, Michigan, under contract Cc-2510, dated October 1, 1936, out of an allotment of \$83,000 made by the President of the United States on March 23, 1937, for this purpose from the Emergency Relief Appropriation Act of 1935.

Stinson Aircraft Corporation.
Payment to.

49 Stat. 115.

Approved, June 28, 1937.

[CHAPTER 390]

AN ACT

To provide for the establishment of a Coast Guard station at or near Menominee, Michigan.

June 28, 1937
[S. 119]

[Public, No. 167]

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 to establish a Coast Guard station at or near Menominee, Michigan, at such point as the Commandant of the Coast Guard may recommend.

Menominee, Mich.
Establishment of Coast Guard station at, authorized.

Approved, June 28, 1937.

[CHAPTER 391]

AN ACT

To provide for the establishment of a Coast Guard station at or near Manistique, Michigan.

June 28, 1937
[S. 1374]

[Public, No. 168]

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 be, and he is hereby, authorized to establish a Coast Guard station at or in the vicinity of Manistique, Schoolcraft County, Michigan, at such point as the Commandant of the Coast Guard may recommend.

Manistique, Mich.
Establishment of Coast Guard station at, authorized.

Approved, June 28, 1937.

[CHAPTER 392]

AN ACT

For the protection of the northern Pacific halibut fishery.

June 28, 1937
[S. 1984]

[Public, No. 169]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Northern Pacific Halibut Act of 1937".

Northern Pacific Halibut Act of 1937.
Citation.
Definitions.

SEC. 2. When used in this Act—

"Convention."

(a) Convention: The word "Convention" means the Convention between the United States and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, signed at Ottawa on the 29th day of January 1937, and shall include the regulations of the International Fisheries Commission promulgated thereunder.

(b) Commission: The word "Commission" means the International Fisheries Commission provided for by article III of the Convention.

"Commission."

- "Person." (c) Person: The word "person" includes partnerships, associations, and corporations.
- "Territorial waters of the United States." (d) Territorial waters of the United States: The term "Territorial waters of the United States" means the Territorial waters contiguous to the western coast of the United States and the territorial waters contiguous to the southern and western coasts of Alaska.
- "Territorial waters of Canada." (e) Territorial waters of Canada: The term "territorial waters of Canada" means the territorial waters contiguous to the western coast of Canada.
- "Convention waters." (f) Convention waters: The term "Convention waters" means the territorial waters of the United States, the territorial waters of Canada, and the high seas of the Northern Pacific Ocean and the Bering Sea, extending westerly from the limits of the territorial waters of the United States and of Canada.
- "Halibut." (g) Halibut: The word "halibut" means the species of Hippoglossus inhabiting Convention waters.
- "Vessel." (h) Vessel: The word "vessel" includes every description of water craft or other contrivance used, or capable of being used, as a means of transportation in water.
- Unlawful acts. SEC. 3. It shall be unlawful for—
- Person other than national, etc., catching halibut in U. S. territorial waters. (a) any person other than a national or inhabitant of the United States to catch or attempt to catch any halibut in the territorial waters of the United States;
- Use of vessel of non-signatory nation. (b) any person to transfer to or to receive upon any vessel of the United States, or to bring to any place within the jurisdiction of the United States any halibut caught in Convention waters by the use of any vessel of a nation not a party to the Convention, or caught in Convention waters by any national or inhabitant of the United States or Canada in violation of the Convention or of this Act;
- Catches in violation of Convention or Act. (c) any national or inhabitant of the United States to catch, attempt to catch, or to possess any halibut in the territorial waters of the United States or in Convention waters in violation of any provision of the Convention or of this Act;
- Catches, etc., by national, etc., in violation of Convention or Act. (d) any person within the territory or jurisdiction of the United States to furnish, prepare, outfit, or provision any vessel, other than a vessel of the United States or Canada, in connection with any voyage during which such vessel is intended to be, is being, or has been employed in catching, attempting to catch, or possessing any halibut in Convention waters or the territorial waters of the United States or Canada;
- Outfitting vessels, etc. (e) any person within the territory or jurisdiction of the United States to furnish, prepare, outfit, or provision any vessel of the United States or Canada in connection with any voyage during which such vessel is intended to be, is being, or has been employed in catching, attempting to catch, or possessing any halibut in violation of any provision of the Convention or of this Act;
- Unlawful possession, etc. (f) any person within the territory or jurisdiction of the United States or any national or inhabitant of the United States within Convention waters knowingly to have or have had in his possession any halibut taken, transferred, received, or brought in in violation of any provision of the Convention or of this Act;
- Departure in vessel which departs in violation of Convention, etc. (g) any person to depart from any place within the jurisdiction of the United States in any vessel which departs from such place in violation of the Convention or of this Act;
- Halibut caught incidentally to fishing for other species. (h) any person in the territorial waters of the United States or any national or inhabitant of the United States in Convention waters to catch or attempt to catch any halibut, or to possess any halibut caught incidentally to fishing for other species of fish by the use of or in any vessel required by the Convention to have on board any

license or permit unless such vessel shall have on board a license or permit which shall comply with all applicable requirements of the Convention, and which shall be available for inspection at any time by any officer authorized to enforce the Convention or by any representative of the Commission;

(i) any person to take, retain, land, or possess any halibut caught incidentally to fishing for other species of fish, in violation of any provision of the Convention or of this Act.

SEC. 4. It shall be unlawful for the master or owner or person in charge of any vessel or any other person required by the Convention to make, keep, or furnish any record or report, to fail to do so, or to refuse to permit any officer authorized to enforce the Convention or any representative of the Commission to examine and inspect any such record or report at any time.

SEC. 5. (a) The provisions of the Convention and of this Act and any regulations issued under this Act shall be enforced by the Coast Guard, the Customs Service, and the Bureau of Fisheries. For such purposes any officer of the Coast Guard, Customs, or Fisheries may at any time go on board of any vessel in territorial waters of the United States, or any vessel of the United States or Canada in Convention waters, except in the territorial waters of Canada, to address inquiries to those on board and to examine, inspect, and search the vessel and every part thereof and any person, trunk, package, or cargo on board, and to this end may hail and stop such vessel, and use all necessary force to compel compliance.

(b) Whenever it appears to any such officer that any person, other than a national or inhabitant of Canada, on any vessel of the United States is violating or has violated any provision of the Convention or of this Act, he shall arrest such person and seize any such vessel employed in such violation. If any such person on any such vessel of the United States is a national or inhabitant of Canada, such person shall be detained and shall be delivered as soon as practicable to an authorized officer of Canada at the Canadian port or place nearest to the place of detention or at such other port or place as such officers of the United States and of Canada may agree upon.

(c) Whenever it appears to any such officer of the United States that any person, other than a national or inhabitant of the United States, on any vessel of Canada in Convention waters, except in the territorial waters of Canada, is violating or has violated any provision of the Convention, such person, and any such vessel employed in such violation, shall be detained and such person and such vessel shall be delivered as soon as practicable to an authorized officer of Canada at the Canadian port or place nearest to the place of detention, or at such other port or place as such officers of the United States and of Canada may agree upon. If any such person on any such vessel of Canada is a national or inhabitant of the United States, such person shall be arrested as provided for in subsection (b) of this section.

(d) Officers or employees of the Coast Guard, Customs, and Fisheries may be directed to attend as witnesses and to produce such available records and files or certified copies thereof as may be produced compatibly with the public interest and as may be considered essential to the prosecution in Canada of any violation of the provisions of the Convention or any Canadian law for the enforcement thereof when requested by the appropriate Canadian authorities in the manner prescribed in article V of the Convention to suppress smuggling concluded between the United States and Canada on June 6, 1924 (44 Stat. (pt. 3), 2097).

License or permit.

Unlawful possession, etc.

Records and reports to be maintained.

Inspection.

Enforcement of provisions.

Boarding vessel to address inquiries, inspect, etc.

Arrest and seizure.

Detention and delivery.

National aboard Canadian vessel.

Attendance of Coast Guard, etc., personnel as witnesses; production of records, etc.

44 Stat. 2096.

Punishment for violation.

SEC. 6. (a) Any person violating any provision of section 3 of this Act upon conviction shall be fined not more than \$1,000 nor less than \$100 or be imprisoned for not more than one year, or both.

Forfeiture of cargo.

(b) The cargo of halibut of every vessel employed in any manner in connection with the violation of any provision of section 3 of this Act shall be forfeited; upon a second violation of the provisions of section 3 of this Act, every such vessel, including its tackle, apparel, furniture, and stores may be forfeited and the cargo of halibut of every such vessel shall be forfeited; and, upon a third or subsequent violation of the provisions of section 3 of this Act, every such vessel, including its tackle, apparel, furniture, cargo, and stores shall be forfeited.

Second violation.

Third and subsequent violations.

Procedure relative to seizure, etc.

(c) All provisions of law relating to the seizure, judicial forfeiture, and condemnation of a vessel for violation of the customs laws, the disposition of such vessel or the proceeds from the sale thereof, and the remission or mitigation of such forfeitures shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this Act, insofar as such provisions of law are applicable and not inconsistent with the provisions of this Act: *Provided*, That except as provided in section 5 hereof all rights, powers, and duties conferred or imposed by this Act upon any officer or employee of the Treasury Department shall, for the purposes of this Act, be exercised or performed by the Secretary of Commerce or by such persons as he may designate.

Proviso.
Powers conferred on Secretary of Commerce.

Penalty provision.

SEC. 7. Any person violating section 4 of this Act shall be subject to a penalty of \$50 for each such violation. The Secretary of Commerce is authorized and empowered to mitigate or remit any such penalty in the manner prescribed by law for the mitigation or remission of penalties for violation of the navigation laws.

Exemptions.

SEC. 8. None of the prohibitions contained in this Act shall apply to the Commission or its agents when engaged in any scientific investigation.

Joint rules and regulations to be made.

SEC. 9. The Secretary of the Treasury and the Secretary of Commerce are authorized to make such joint rules and regulations as may be necessary to carry out the provisions of this Act.

Effective date.

SEC. 10. This Act shall take effect on the date of exchange of ratifications of the Convention signed by the United States of America and Canada, on January 29, 1937, for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, unless such date shall be prior to the date of approval of this Act in which case it shall take effect immediately.

Approved, June 28, 1937.

[CHAPTER 393]

JOINT RESOLUTION

To provide for the publication and sale by the Northwest Territory Celebration Commission of certain historical and educational material.

June 28, 1937
[H. J. Res. 386]
[Pub. Res., No. 46]

Northwest Territory Celebration Commission.
49 Stat. 512.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint resolution to provide for the observance and celebration of the one hundred and fiftieth anniversary of the adoption of the Ordinance of 1787 and the settlement of the Northwest Territory", approved August 2, 1935, is amended by adding at the end thereof a new section to read as follows:

Publication and sale of historical, etc., material authorized.

"SEC. 5. (a) The Commission is authorized to prepare, publish, and sell such historical and educational material pertaining to the Ordinance of 1787 and the settlement of the Northwest Territory as it deems advisable for the dissemination of information and the advance-