

south, range 17 east; townships 5, 6, and 7 south, range 18 east; townships 6 and 7 south, range 19 east; townships 6 and 7 south, range 20 east; townships 4, 5, 6, 7, and 8 south, range 21 east; townships 5, 6, and sections 3, 4, 5, 6, 7, 8, 18, and 19, township 7 south, range 22 east; township 5 south, range 23 east, San Bernardino meridian, in Riverside County, State of California, shall be canceled prior to May 1, 1940, because of failure on the part of the entrymen to make any annual or final proof falling due upon any such entry prior to said date. The requirements of law as to annual assessments and final proof shall become operative from said date as though no suspension had been made. If the said entrymen are unable to procure water to irrigate the said lands above described through no fault of theirs, after using due diligence, or the legal questions as to their right to divert or impound water for the irrigation of said lands are still pending and undetermined by said May 1, 1940, the Secretary of the Interior is hereby authorized to grant a further extension for an additional period of not exceeding five years.

Approved, June 29, 1938.

Annual assessments and final proof.

Further extension if unable to procure water.

[CHAPTER 808]

AN ACT

To provide for a national cemetery in every State.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is authorized to accept (on behalf of, and without cost to, the United States) from any State title to such land as he deems suitable for national cemetery purposes. Upon the acquisition of such land by the United States, the Secretary of War is authorized to establish thereon a national cemetery and to provide for the care and maintenance of such national cemetery.

Approved, June 29, 1938.

June 29, 1938  
[H. R. 6925]  
[Public, No. 774]

National cemeteries. Establishment, in every State, authorized.

Care and maintenance.

[CHAPTER 809]

AN ACT

To provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Public Utilities Commission of the District of Columbia is hereby directed to require any and all corporations, companies, associations, joint-stock companies or associations, partnerships, and persons, their lessees, trustees, or receivers, appointed by any court whatsoever, operating, controlling, managing, or renting any passenger motor vehicles for hire in the District of Columbia, except as to operations licensed under paragraph 31 (b) of the Act approved July 1, 1932, known as the "License Act", and except such common carriers as have been expressly exempted from the jurisdiction of the Commission, to file with the Commission for each motor vehicle to be operated a bond or bonds, policy or policies, of liability insurance or certificate of insurance in lieu thereof in a solvent and responsible surety or insurance company authorized to do business in the District of Columbia, conditioned for the payment to any person of any judgment recovered against such corporations, companies, associations, joint-stock companies or associations, partnerships, and persons, their lessees, trustees, or receivers, appointed by any court whatsoever, or renters of their cabs, for death or for injury to any person or injury to any property, or both, caused

June 29, 1938  
[H. R. 7084]  
[Public, No. 775]

District of Columbia.

Passenger motor vehicles for hire, insurance requirements.

Exceptions.

47 Stat. 555.

Form, terms, etc.	<p>in the operation, maintenance, use, or by reason of the defective construction of such motor cabs or other vehicles. Any such bond or undertaking or policy of liability insurance shall be in such form and on such terms or conditions as the Commission may direct. <i>Provided</i>, That such bond or policy may limit the liability of the surety or insurer on any one judgment to \$5,000 for bodily injuries or death and \$1,000 for damage to or destruction of property, and all judgments recovered upon claims arising out of the same subject of action to \$10,000 for bodily injuries or death and \$1,000 for damages to or destruction of property, to be apportioned ratably among the judgment creditors according to the amount of their respective judgments. Any such policy of liability insurance shall be issued only by such insurance companies as may have been authorized to do business in the District of Columbia, and any such bond or undertaking shall be secured by a corporate surety approved by the Superintendent of Insurance of the District of Columbia. The Superintendent of Insurance of the District of Columbia shall be empowered to make all reasonable rules and regulations relating to the writing of taxicab insurance and shall be empowered to govern the maximum rates to be charged on such insurance. No such bond or policy of insurance may be canceled unless not less than twenty days prior to such cancellation or termination notice of intention so to do has been filed in writing with the Commission unless cancellation is for nonpayment of premiums, in which event five days' notice as above provided shall be given. It shall be unlawful to operate any vehicle subject to the provisions of this paragraph unless such vehicle shall be covered by an approved bond or policy of liability insurance as provided herein. The Public Utilities Commission shall have the power to make all reasonable rules and regulations which, in its opinion, are necessary to make effective the purposes of this section.</p>
<p><i>Proviso.</i> Limitation on insurer's liability on any one judgment.</p>	
<p>Issuance of insurance limited to authorized companies.</p>	
<p>Rules relating to writing taxicab insurance; rates.</p>	
<p>Cancellation; notice of intention.</p>	
<p>Operation unlawful unless covered by approved bond or insurance.</p>	
<p>Rules and regulations.</p>	
<p>Provisions in lieu of bond, etc.</p>	<p>Any owner of a public vehicle required hereby to file a bond or policy of insurance may, in lieu thereof:</p>
<p>Blanket bond or blanket policy of liability insurance.</p>	<p>(a) File with the Public Utilities Commission a blanket bond, or a blanket policy of liability insurance, in an amount to be approved by said Commission, but not to exceed \$75,000, conditioned as required by this Act, and covering all vehicles lawfully displaying the trade name or identifying design of any individual, association, company or corporation.</p>
<p>Sinking fund of sufficient amount in trust.</p>	<p>(b) Create and maintain a sinking fund in such amount as the Public Utilities Commission may require, but not in excess of \$75,000, and deposit the same, in trust, for the payment of any judgment recovered against such owner, as provided in this Act, with such person, official or corporation as said Commission shall designate.</p>
<p><i>Proviso.</i> Requirements.</p>	<p><i>Provided</i>, That should any such owner elect to comply with the provisions of paragraphs (a) or (b) of this section, such owner shall first file with the Public Utilities Commission an admission of liability, in conformity with the principle of respondent superior for the tortious acts of the driver or drivers of such vehicle or vehicles aforesaid as shall be driven with the trade name or identifying design of such owner.</p>
<p>Exemption from attachment, etc.</p>	<p>Any cash or collateral deposit and/or any sinking fund herein provided for shall be exempt from attachment or levy for any obligation or liability of the depositor thereof, save as herein provided.</p>
<p>"Owner" defined.</p>	<p>Within the meaning of this paragraph, the word "owner" shall include any corporation, company, association, joint stock company or association, partnership or person, and the lessees, trustees or receivers appointed by any court whatsoever, permitting his, their or its trade name and/or identifying design to be displayed upon vehicles governed by this Act.</p>

Any violation of this section or of the regulations lawfully promulgated thereunder shall be deemed a misdemeanor and upon conviction shall be punishable by a fine of not more than \$300 or by imprisonment for not more than ninety days, and/or cancelation of license.

Penalty for violation.

This Act shall become effective sixty days after final passage.

Effective date.

Approved, June 29, 1938.

[CHAPTER 810]

AN ACT

To amend the Meat Inspection Act of March 4, 1907, as amended and extended, with respect to its application to farmers, retail butchers, and retail dealers.

June 29, 1938  
[H. R. 8047]  
[Public, No. 776]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Meat Inspection Act of March 4, 1907, as amended and extended, is amended by substituting for the concluding paragraph thereof the following:*

Meat Inspection Act of March 4, 1907, amendments.  
34 Stat. 1260.  
21 U. S. C. § 71.

“That within the meaning of this Act—

Meaning of terms.

“(a) A ‘farmer’ means any person or partnership chiefly engaged in producing agricultural products on whose farm the number of cattle, calves, sheep, lambs, swine, or goats is in keeping with the size of the farm or with the volume or character of the agricultural products produced thereon, but does not mean any person or partnership engaged in producing agricultural products who—

“Farmer.”

“(1) actively engages in buying or trading in cattle, calves, sheep, lambs, swine, or goats; or

“(2) actively engages, directly or indirectly, in conducting a business which includes the slaughter of cattle, calves, sheep, lambs, swine, or goats for food purposes; or

“(3) actively engages, directly or indirectly, in buying or selling meat or meat food products other than those prepared by any farmer on the farm; or

“(4) actively engages, directly or indirectly, in salting, curing, or canning meat, or in preparing sausage, lard, or other meat food products; or

“(5) slaughters, or permits any person to slaughter, on his or their farm cattle, calves, sheep, lambs, swine, or goats which are not actually owned by him or them.

“(b) A ‘retail butcher’ means any person, partnership, association, or corporation chiefly engaged in selling meat or meat food products to consumers only, except that the Secretary of Agriculture, at his discretion, may permit any retail butcher to transport in interstate or foreign commerce to consumers and meat retailers in any one week not more than five carcasses of cattle, twenty-five carcasses of calves, twenty carcasses of sheep, twenty-five carcasses of lambs, ten carcasses of swine, twenty carcasses of goats, or twenty-five carcasses of goat kids, or the equivalent of fresh meat therefrom, and to transport in interstate or foreign commerce to consumers only meat and meat food products which have been salted, cured, canned, or prepared as sausage, lard, or other meat food products, and which have not been inspected, examined, and marked as ‘Inspected and Passed’ in accordance with the terms of the Meat Inspection Act of March 4, 1907, and Acts supplemental thereto, and with the rules and regulations prescribed by the Secretary of Agriculture.

“Retail butcher.”

“(c) A ‘retail dealer’ means any person, partnership, association, or corporation chiefly engaged in selling meat or meat food products to consumers only except that the Secretary of Agriculture, at his discretion, may permit any retail dealer to transport in interstate trade or foreign commerce to consumers and meat retailers in any

“Retail dealer.”