

Alaska included.

Provisos.
Claimant not exempt from Federal income tax, 1937, excluded.

Notice to be filed.

Number of lode-mining claims, limitation.

Placer-mining claims.

States, including the Territory of Alaska, during the year beginning at 12 o'clock meridian July 1, 1937, and ending at 12 o'clock meridian July 1, 1938: *Provided*, That the provisions of this Act shall not apply in the case of any claimant not entitled to exemption from the payment of a Federal income tax for the taxable year 1937: *Provided further*, That every claimant of any such mining claim, in order to obtain the benefits of this Act, shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian July 1, 1938, a notice of his desire to hold said mining claim under this Act, which notice shall state that the claimant, or claimants, were entitled to exemption from the payment of a Federal income tax for the taxable year 1937: *Provided further*, That such suspension of assessment work shall not apply to more than six lode-mining claims held by the same person, nor to more than twelve lode-mining claims held by the same partnership, association, or corporation: *And provided further*, That such suspension of assessment work shall not apply to more than six placer-mining claims not to exceed one hundred and twenty acres (in all) held by the same person, nor to more than twelve placer-mining claims not to exceed two hundred and forty acres (in all) held by the same partnership, association, or corporation.

Approved, June 29, 1938.

[CHAPTER 816]

AN ACT

June 29, 1938
[S. 3516]

[Public, No. 782]

To alter the ratio of appropriations to be apportioned to the States for public employment officers affiliated with the United States Employment Service.

United States Employment Service.
48 Stat. 114; 49 Stat. 216.
29 U. S. C. § 49d;
Supp. III, § 49d.
Textual changes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 (a) of the so-called "Wagner-Peyser Act" Act¹ of June 6, 1933, ch. 49; 48 Stat. 113, 114), as amended by the Act of May 10, 1935 (49 Stat. 216), be amended by striking out the words "Seventy-five per centum of the amounts appropriated under this Act shall" at the beginning of the second sentence thereof and inserting the following: "The annual appropriation under this Act shall designate the amount to"; and by striking out from the proviso at the end of such sentence the words "said 75 per centum of amounts appropriated after January 1, 1935, under this Act" and inserting the following: "the said amount among the several States", so that as amended section 5 (a) shall read as follows:

Appropriation authorized, fiscal year 1934; thereafter.

Apportionment among the States.

Purpose.

Provisos.
Minimum apportionment.
Appropriation of equal sums by States.

"SEC. 5. (a) For the purpose of carrying out the provisions of this Act there is hereby authorized to be appropriated (1) the sum of \$1,500,000 for the fiscal year ending June 30, 1934, (2) \$4,000,000 for each fiscal year thereafter up to and including the fiscal year ending June 30, 1938, (3) and thereafter such sums annually as the Congress may deem necessary. The annual appropriation under this Act shall designate the amount to be apportioned by the Director among the several States in the proportion which their population bears to the total population of the States of the United States according to the next preceding United States census, to be available for the purpose of establishing and maintaining systems of public employment offices in the several States and the political subdivisions thereof in accordance with the provisions of this Act: *Provided, however*, That in apportioning the said amount among the several States, the Director shall apportion not less than \$10,000 to each State. No payment shall be made in any year out of the amount of such appropriations apportioned to any State until an equal sum has been appropriated or otherwise made available for that year by the State, or by any agency thereof, includ-

¹ So in original.

ing appropriations made by local subdivisions, for the purpose of maintaining public employment offices as a part of a State-controlled system of public employment offices; except that the amounts so appropriated by the State shall not be less than 25 per centum of the apportionment according to population made by the director for such State for the current year, and in no event less than \$5,000. The balance of the amounts appropriated under this Act shall be available for all the purposes of this Act other than for apportionment among the several States as herein provided.”

Approved, June 29, 1938.

[CHAPTER 817]

AN ACT

To amend section 113 of the Judicial Code as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 113 of the Judicial Code, as amended (U. S. C., title 28, sec. 194), be, and it is hereby, amended to read as follows:

“The State of West Virginia is divided into two districts, to be known as the northern and southern districts of West Virginia. The northern district shall include the territory embraced on the 1st day of July 1910 in the counties of Hancock, Brooke, Ohio, Marshall, Tyler, Pleasants, Wood, Wirt, Ritchie, Doddridge, Wetzel, Monongalia, Marion, Harrison, Lewis, Gilmer, Calhoun, Upshur, Barbour, Taylor, Preston, Tucker, Randolph, Pendleton, Hardy, Grant, Mineral, Hampshire, Morgan, Berkeley, and Jefferson, with the waters thereof.

“The district judge for the northern district of West Virginia shall hold regular terms of court in said northern district at the following places and times, that is to say:

“(a) At the city of Martinsburg on the first Tuesday in April and the fourth Tuesday in September in each year;

“(b) At the city of Wheeling on the third Tuesdays in April and October in each year;

“(c) At the city of Elkins on the first Tuesday in June and the third Tuesday in November in each year;

“(d) Said judge shall also hold such special terms as may be necessary for the orderly dispatch of the business of said court; the same to be held at said places and at such times as he shall appoint.

“The southern district shall include the territory embraced on the 1st day of July 1910 in the counties of Jackson, Roane, Clay, Braxton, Webster, Nicholas, Pocahontas, Greenbrier, Fayette, Boone, Kanawha, Putnam, Mason, Cabell, Wayne, Lincoln, Logan, Mingo, Raleigh, Wyoming, McDowell, Mercer, Summers, and Monroe with the waters thereof.

“The district judge for the southern district of West Virginia shall hold regular terms of court in said southern district at the following times and places, that is to say:

“(a) At the city of Bluefield on the third Tuesdays in January and June in each year;

“(b) At the city of Lewisburg on the first Tuesdays in March and September in each year; when suitable rooms and accommodations for holding terms of the court shall be provided at Lewisburg free of cost to the United States or until, subject to the recommendation of the Attorney General of the United States with respect to providing such rooms and accommodations for holding court at Lewis-

Maintenance of public employment offices.

Minimum State appropriation.

Balances available for other expenses.

June 29, 1938

[S. 3684]

[Public, No. 783]

United States courts.
28 U. S. C. § 194; Supp. III, § 194.

West Virginia judicial districts.

Northern district.

Regular terms.

Special terms.

Southern district.

Regular terms.

Rooms, etc., at Lewisburg.