

burg, a public building shall have been erected or other Federal space provided for court purposes in said city;

“(c) At the city of Charleston on the second Tuesday in April and on the third Tuesday in November in each year;

Rooms, etc., at Beckley.

“(d) At the city of Beckley at least once in each calendar year, at such times as may be fixed by rules of the court, when suitable rooms and accommodations for holding terms of the court shall be provided at Beckley 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 Beckley, a Federal building containing such suitable rooms and accommodations for holding court shall be erected at such place;

Special terms.

“(e) 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.

Judge for northern and southern districts, regular terms of court.

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

“(a) At the city of Clarksburg in said northern district on the first Tuesday in January and on the fourth Tuesday in August in each year;

“(b) At the city of Parkersburg in said northern district on the third Tuesday in March and on the first Tuesday in October in each year;

“(c) At the city of Huntington in said southern district on the second Tuesday in May and on the third Tuesday in October in each year;

Rooms, etc., at Fairmont.

“(d) At the city of Fairmont at least once in each calendar year, at such times as may be fixed by rules of the court, when suitable rooms and accommodations for holding terms of the court shall be provided at Fairmont 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 Fairmont, a Federal building containing such suitable rooms and accommodations for holding court shall be erected at such place;

Special terms.

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

Approved, June 29, 1938.

[CHAPTER 818]

JOINT RESOLUTION

Providing compensation for certain employees.

June 29, 1938
[H. J. Res. 551]
[Pub. Res., No. 127]

Government employees.
Per diem, etc.,
workers, compensation
for holidays.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter whenever regular employees of the Federal Government whose compensation is fixed at a rate per day, per hour, or on a piece-work basis are relieved or prevented from working solely because of the occurrence of a holiday such as New Year’s Day, Washington’s Birthday, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, or any other day declared a holiday by Federal statute or Executive order, or any day on which the departments and establishments of the Government are closed by Executive order, they shall receive the same pay for such days as for other days on which an ordinary day’s work is performed.

SEC. 2. The joint resolution of January 6, 1885 (U. S. C., title 5, sec. 86), and all other laws inconsistent or in conflict with the provisions of this Act are hereby repealed to the extent of such inconsistency or conflict.

Repeal of inconsistent laws.
23 Stat. 516.
5 U. S. C. § 86.

Approved, June 29, 1938.

[CHAPTER 819]

JOINT RESOLUTION

To amend the Naturalization Act of June 29, 1906 (34 Stat. 596), as amended.

June 29, 1938
[H. J. Res. 681]
[Pub. Res., No. 128]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of the fourth subdivision of section 4 of the Naturalization Act of June 29, 1906 (U. S. C., title 8, sec. 382), as amended by section 1 of the Act of June 25, 1936 (49 Stat. 1925), is amended to read as follows:

Naturalization Act of 1906, amendments.
34 Stat. 596; 49 Stat. 1925.
8 U. S. C. § 382; Supp. III, § 382.

“Absence from the United States for a continuous period of more than six months and less than one year during the period for which continuous residence is required for admission to citizenship, immediately preceding the date of filing the petition for naturalization, or during the period between the date of filing the petition, and the date of final hearing, shall be presumed to break the continuity of such residence, but such presumption may be overcome by the presentation to the naturalization court of satisfactory evidence that such individual had a reasonable cause for not returning to the United States during such absence. Absence from the United States for a continuous period of one year or more during the period for which continuous residence is required for admission to citizenship immediately preceding the date of filing the petition for naturalization or during the period between the date of filing the petition and the date of final hearing, shall break the continuity of such residence, except, that in the case of an alien—

Residence requirements.
Continuity; absences.

Continuity broken by absence of one year or more; exceptions.

(a) who has been lawfully admitted into the United States for permanent residence,

(b) who has resided in the United States for at least one year thereafter, and

(c) who has made a declaration of intention to become a citizen of the United States, who shall be deemed an eligible alien for the purposes of this paragraph and who thereafter has been sent abroad as an employee of or under contract with the Government of the United States, or who thereafter proceeded abroad as an employee or representative of, or under contract with an American institution of research recognized as such by the Secretary of Labor, or as an employee of a firm or corporation engaged in the development of foreign trade and commerce of the United States, or a subsidiary thereof, or any such eligible alien as above defined who has proceeded abroad temporarily and has within a period of one year of his departure from the United States become an employee or representative of, or who is under contract with such an American institution of research, or has become an employee of such an American firm or corporation, no such absence shall break the continuity of residence in the United States if—

Government, etc., employees, sent abroad.

Employees of foreign trade corporations, etc.

Employee of an American institution of research.

“(1) Prior to the beginning of such absence, or prior to the beginning of such employment, contract, or representation on behalf of an American institution of research or an American firm or corporation as aforesaid, such alien has established to the satisfaction of the Secretary of Labor that his absence for such period is to be on behalf of such government or for the purpose of carrying on

Conditions imposed.

Satisfactory proof to Secretary of Labor.