

[CHAPTER 386]

AN ACT

To amend the Act entitled "An Act regulating the retent on contracts with the District of Columbia", approved March 31, 1906.

August 3, 1949
[H. R. 2799]
[Public Law 204]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act regulating the retent on contracts with the District of Columbia", approved March 31, 1906, is hereby amended to read as follows:

District of Columbia.

34 Stat. 94.
D. C. Code § 1-807.

Retent on contracts.

"That on all contracts made by the District of Columbia for construction work there shall be withheld, until completion and acceptance of the work, a retent of 10 per centum of the total amount of any payments made thereunder as a guaranty fund that the terms of such contracts shall be strictly and faithfully performed: *Provided, however,* That whenever 50 per centum of the work required under a contract for construction work has been completed and payments therefor have been made the Commissioners of the District of Columbia, in their sole discretion, may authorize subsequent payments to be made to the contractor without withholding from such subsequent payments 10 per centum thereof as required by this section, or the said Commissioners may authorize retention from such subsequent payments of less than 10 per centum thereof; and the said Commissioners, in their sole discretion, may further authorize payment in full, including retained percentages, for each separate building or public work on which the price is stated separately in the contract upon completion and acceptance of such building or work."

Authority of Commissioners.

Approved August 3, 1949.

[CHAPTER 387]

AN ACT

To provide for the appointment of additional circuit and district judges, and for other purposes.

August 3, 1949
[H. R. 4963]
[Public Law 205]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President shall appoint, by and with the advice and consent of the Senate, three additional circuit judges for the District of Columbia circuit, one additional circuit judge for the third circuit, one additional circuit judge for the seventh circuit, and one additional circuit judge for the tenth circuit. Accordingly, title 28, United States Code, section 44 (a), is amended to read as follows with respect to said circuits:

U. S. Courts.
Additional circuit judges.

62 Stat. 871.
28 U. S. C., Supp.
II, § 44 (a).

"Circuits	Number of judges
District of Columbia-----	Nine
* * * * *	* *
Third-----	Seven
* * * * *	* *
Seventh-----	Six
* * * * *	* *
Tenth-----	Five"

SEC. 2. (a) The President shall appoint, by and with the advice and consent of the Senate, two additional district judges for the northern district of California, two additional district judges for the southern district of California, three additional district judges for the District of Columbia, one district judge for the northern and southern districts of Florida, one additional district judge for the northern district of Georgia, one additional district judge for the

Additional district judges.

district of Kansas, one additional district judge for the district of New Jersey, four additional district judges for the southern district of New York, one additional district judge for the district of Oregon, two additional district judges for the eastern district of Pennsylvania, one additional district judge for the southern district of Texas, and the existing judgeship for the western district of Oklahoma created by section 2 (a) of the Act entitled "An Act to provide for the appointment of additional district and circuit judges", approved May 24, 1940 (54 Stat. 219), and the existing judgeship for the northern district of Ohio created by the Act entitled "An Act to provide for the appointment of one additional United States district judge for the northern district of Ohio", approved May 1, 1941 (55 Stat. 148), shall be permanent judgeships. Accordingly, title 28, United States Code, section 133, is amended to read as follows with respect to said districts:

Post, p. 495.

Post, p. 495.
62 Stat. 895,
28 U. S. C., Supp.
II, § 133.

"Districts	Judges
* * * * *	
California	
Northern-----	7
Southern-----	10
* * * * *	
District of Columbia-----	15
* * * * *	
Florida	
Northern and Southern-----	1
Georgia	
Northern-----	2
* * * * *	
Kansas-----	2
* * * * *	
New Jersey-----	6
* * * * *	
New York	
Southern-----	16
* * * * *	
Ohio	
Northern-----	4
* * * * *	
Oklahoma	
Western-----	2
* * * * *	
Oregon-----	3
* * * * *	
Pennsylvania	
Eastern-----	7
* * * * *	
Texas	
Southern-----	3
* * * * *	

(b) (1) Title 28, United States Code, section 134, is amended by adding at the end thereof the following new subsections:

62 Stat. 896.
28 U. S. C., Supp.
II, § 134.

“(c) One of the district judges for the district of Kansas shall reside at Wichita; and in the event such judges disagree as to which of them shall reside at Wichita, the matter shall be determined by the Judicial Council of the Tenth Circuit.

“(d) One of the district judges for the southern district of California shall reside in the city of San Diego.

“(e) One of the district judges for the southern district of Texas shall reside within that portion of the district comprising Laredo, Brownsville and Corpus Christi divisions.”

(2) The judge first appointed for the district of Kansas under the authority contained in subsection (a) shall reside at Wichita.

(c) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the western district of Pennsylvania: *Provided*, That the first vacancy occurring in the office of district judge in said district shall not be filled.

(d) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the southern district of Texas: *Provided*, That the first vacancy occurring in the office of district judge in said district shall not be filled.

(e) The Act entitled “An Act to provide for the appointment of one additional United States district judge for the northern district of Ohio”, approved May 1, 1941 (55 Stat. 148), is hereby repealed and the incumbent of the judgeship created by such Act shall henceforth hold his position under title 28, United States Code, section 133, as amended by this Act.

Repeal.

28 U. S. C., Supp.
II, § 133 and notes.

Ante, p. 494.

(f) Section 2 (a) of the Act entitled “An Act to provide for the appointment of additional district and circuit judges”, approved May 24, 1940 (54 Stat. 219), is amended by striking out “western district of Oklahoma”, and the incumbent of the judgeship created by said Act for the western district of Oklahoma shall henceforth hold his office under title 28, United States Code, section 133, as amended by this Act.

28 U. S. C., Supp.
II, § 133 and notes.

Ante, p. 494.

Approved August 3, 1949.

[CHAPTER 392]

AN ACT

To authorize the payment of employees of the Bureau of Animal Industry for overtime duty performed at establishments which prepare virus, serum, toxin, or analogous products for use in the treatment of domestic animals.

August 4, 1949

[H. R. 450]

[Public Law 206]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to pay employees of the Bureau of Animal Industry employed in establishments subject to the provisions of section 157 of title 21, United States Code, for all overtime, night, or holiday work performed at such establishments, at such rates as he may determine, and to accept from such establishments wherein such overtime work is performed reimbursement for any sums paid out by him for such overtime work.

37 Stat. 833.

Approved August 4, 1949.

[CHAPTER 393]

AN ACT

To revise, codify, and enact into law, title 14 of the United States Code, entitled “Coast Guard”.

August 4, 1949

[H. R. 4566]

[Public Law 207]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 14 of the

Title 14, U. S. Code.
Codification and enactment into law.